

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, MARCH 1, 2018**

**Invocation:** Pastor Cynthia Kepler-Karrer, Memorial United Methodist Church

**The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, March 1, 2018 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.**

**Mayor Adler called the Council Meeting to order at 10:12 a.m.**

**CONSENT AGENDA**

**The following items were acted on by one motion.**

1. Approve the minutes of the Austin City Council special called of February 2, 2018, work session of February 7, 2018, work session of February 13, 2018, and regular meeting of February 15, 2018.  
**The motion approving the minutes of the City Council special called of February 6, 2018, work session of February 7, 2018, work session of February 13, 2018 and regular meeting of February 15, 2018 were approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**
2. Approve an ordinance amending the Fiscal Year 2017-2018 Austin Code Department Operating Fund (Ordinance No. 20170913-001) to increase the transfer out by \$150,000 to the Neighborhood Housing Trust Fund and increase the transfer into the Neighborhood Housing Trust Fund by \$150,000 from the Austin Code Department Operating Fund.  
**Ordinance No. 20180301-002 was approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**
3. Authorize negotiation and execution of a 12-month interlocal agreement with The University of Texas at Austin for water technology innovation under the Austin Technology Incubator's 'Texas Smart Water Innovation Cluster' (or 'Water RIOT') grant, in an amount not to exceed \$50,000, with two 12-month extension options, for a total amount not to exceed \$150,000.  
**The motion authorizing negotiation and execution of an interlocal agreement with The University of Texas at Austin was approved on consent on Council Member Alter's motion, Council Member Garza's second on a 10-1 vote. Council Member Troxclair voted nay.**
4. Authorize award and execution of a construction contract with Peabody General Contractors Inc. (WBE), for the 2018 Waterline On-Call Services Indefinite Delivery/Indefinite Quantity project in the amount of \$2,000,000 for an initial one-year term and a two one-year extension options in

the amount of \$2,000,000 each, for a total contract amount not to exceed \$6,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the minimum goals with 6.37% MBE and 1.00% WBE participation.] District(s) Affected: District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, District 10.

**The motion authorizing award and execution of a construction contract with Peabody General Contractors Inc. was approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

**Item 5 was pulled for discussion.**

6. Authorize award and execution of a 60-month interlocal agreement with the Lower Colorado River Authority to perform maintenance, repairs, and dielectric testing on electric utility equipment on vehicles in an amount not to exceed \$1,750,000, with one 60-month extension option in an amount not to exceed \$1,750,000, for a total contract amount not to exceed \$3,500,000.

**The motion authorizing award and execution of an interlocal agreement with the Lower Colorado River Authority was approved on consent on Council Member Alter's motion, Council Member Garza's second on a 10-1 vote. Council Member Troxclair voted nay.**

7. Authorize negotiation and execution of multi-term contracts with McCall, Parkhurst, & Horton L.L.P., Bracewell L.L.P., and Norton Rose Fulbright U.S. L.L.P., or one or more of the other qualified offerors to Request for Qualification Statements 5700 SLW0701, to provide bond counsel legal services for up to eight years.

**The motion authorizing negotiation and execution of multi-term contracts with McCall, Parkhurst, & Horton LLP, Bracewell LLP, and Norton Rose Fulbright U.S. LLP was approved on consent on Council Member Alter's motion, Council Member Garza's second on a 10-1 vote. Council Member Troxclair voted nay.**

8. Approve a resolution authorizing the extension of line of duty injury leave of absence for Austin Police Department Sergeant Zachary La Hood.

**Resolution No. 20180301-008 was approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

9. Authorize an amendment to an existing contract with Wastewater Transport Services, LLC, to provide continued sludge and sewage pumping, hauling, and disposal, increasing the amount by \$136,903, for a revised contract amount not to exceed \$979,515. (Note: This contract was awarded in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. There were insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established).

**The motion authorizing an amendment to an existing contract with Wastewater Transport Services, LLC was approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

10. Authorize award and execution of a multi-term contract with Polydyne, Inc., to provide liquid emulsion flocculating polymer for up to five years, for a total contract amount not to exceed \$2,479,130. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**The motion authorizing award and execution of a multi-term contract with Polydyne, Inc. was approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

11. Authorize award and execution of a multi-term contract with Brenntag Southwest, Inc., to provide liquid ammonium sulfate for up to five years, for a total contract amount not to exceed \$336,525. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**The motion authorizing award and execution of a multi-term contract with Brenntag Southwest, Inc. was approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

12. Authorize award and execution of a multi-term contract with Pencco, Inc., to provide fluorosilicic acid for up to five years, for a total contract amount not to exceed \$1,025,780. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**The motion authorizing award and execution of a multi-term contract with Pencco, Inc. was approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

13. Authorize an amendment to an existing contract with W W Grainger Inc., to provide additional industrial supplies, equipment, tools, and services, for an increase in the amount of \$600,000 for a revised contract amount not to exceed \$21,600,000. (Note: This contract was awarded in accordance with City Code Chapter 2-D Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no subcontracting goals were established).

**The motion authorizing an amendment to an existing contract with W W Grainger Inc. was approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

14. Approve ratification of a contract with Pro Kleen Industrial Services, Inc. D/B/A Porta Kleen, to provide mobile shower and laundry trailer rentals related to Hurricane Harvey, in the amount of \$140,000. (Note: This contract is exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

**The motion approving ratification of a contract with Pro Kleen Industrial Services, Inc. doing business as Porta Kleen was approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

**Item 15 was pulled for discussion.**

16. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.

**The following appointments were approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

**Nominations**

<b><u>Board/Nominee</u></b>	<b><u>Nominated by</u></b>
<b>Anti-Displacement Task Force Alberto Garcia</b>	<b>Council Member Garza</b>
<b>Hispanic/Latino Quality of Life Resource Advisory Commission Ricardo Maga-Rojas</b>	<b>Council Member Houston</b>
<b>Mayor's Committee for People with Disabilities Joey Gidseg</b>	<b>Council Member Pool</b>
<b>Codes &amp; Ordinances Joint Committee Karen McGraw</b>	<b>Planning Commission Rep.</b>
<b>Comprehensive Plan Joint Committee Stephen Oliver</b>	<b>Planning Commission Rep.</b>
<b>Comprehensive Plan Joint Committee Todd Shaw</b>	<b>Planning Commission Rep.</b>
<b>Small Area Planning Joint Committee Jeffrey Thompson</b>	<b>Planning Commission Rep.</b>

**Waivers**

**There are no waivers at this time.**

**Council Committees and Other Intergovernmental Bodies**

**Approve a resolution appointing members to Council committees and other intergovernmental bodies. (See Resolution 20180301-016)**

**Item 17 was pulled for discussion.**

18. Approve an ordinance waiving or reimbursing fees for the 2018 Bengali New Year Festival sponsored by the Bangladesh Association of Greater Austin to be held Saturday, April 14, 2018 at Fiesta Gardens. Council Sponsors: Council Member Sabino 'Pio' Renteria, Council Member Jimmy Flannigan, Council Member Delia Garza, Council Member Gregorio Casar, Council Member Ann Kitchen.  
**Ordinance No. 20180301-018 was approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**  
  
**Direction was given to staff to list Mayor Adler contributing \$300, Mayor Pro Tem Tovo contributing \$150, Council Member Alter contributing \$200, and Council Member Pool contributing \$150 to the waiver or reimbursement of certain fees.**
19. Set a public hearing to consider an ordinance regarding floodplain variances for the remodel of a commercial building at 1200 Barton Springs Road within the 25-year and 100-year floodplains of

West Bouldin Creek. (Suggested date and time: March 8, 2018, 4:00 p.m., at Austin City Hall, 301 West Second Street, Austin, TX) (District 5). District(s) Affected: District 5.

**The public hearing was set on consent for March 8, 2018, 4:00 p.m. at 301 W. Second Street, Austin, TX on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

20. Set a public hearing to consider an ordinance amending the Imagine Austin Comprehensive Plan by adopting the North Shoal Creek Neighborhood Plan. The boundaries for the North Shoal Creek Neighborhood Planning Area are Research Boulevard on the north, Burnet Road on the east, Anderson Lane on the south, and Mopac Expressway on the west. (Suggested date and time, April 26th, 2018, 4:00 P.M. at Austin City Hall, 301 W. Second Street, Austin, TX.) District(s) Affected: District 7.
- The public hearing was set on consent for April 26, 2018, 4:00 p.m. at 301 W. Second Street, Austin, TX on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

21. Set a public hearing to receive public comment and amend Austin Water's rates and fees included in the Fiscal Year 2017-2018 Approved Fee Schedule and Budget (Ordinance No. 20170913-002) to reduce rates for retail customer classes. (Suggested date and time: March 8, 2018 beginning at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX.).
- The public hearing was set on consent for March 8, 2018, 4:00 p.m. at 301 W. Second Street, Austin, TX on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

**Item 22 was pulled for discussion.**

43. Approve an ordinance amending City Code Chapters 2-9A, 2-9B, 2-9C, and 2-9D extending the sunset date of the Minority-Owned and Women-Owned Business Enterprise Procurement Program.
- Ordinance No. 20180301-043 was approved on consent on Council Member Alter's motion, Council Member Garza's second on a 10-1 vote. Council Member Troxclair voted nay.**
44. Approve an ordinance waiving or reimbursing certain fees for the Violet Crown Festival sponsored by Violet Crown Community Works to be held Saturday, May 5, 2018 at Brentwood Park.
- Ordinance No. 20180301-044 was approved on consent on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.**

**DISCUSSION ITEMS**

5. Approve an ordinance waiving or reimbursing certain development fees in the amount of \$413,989.31 for construction of Phase II of Community First! Village by Mobile Loaves & Fishes.
- Ordinance No. 20180301-005 was approved on Council Member Houston's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.**
15. Authorize negotiation and execution of a contract with Community Technology Network, or the other qualified offeror to Request For Proposals JRH0104, to provide community technology access lab management services, for up to five years for a total contract amount not to exceed \$860,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise

Procurement Program. For the services required for this solicitation, no subcontracting opportunities were available; therefore, no subcontracting goals were established.).

**The motion authorizing negotiation and execution of a contract with Austin Free Net, for a three year contract with two 12-month extension options with the following direction was approved on Council Member Pool's motion, Council Member Houston's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Flannigan and Troxclair. Council Member Alter abstained.**

**Direction was given to staff to provide Council with an annual performance update and before execution of the extensions; to investigate changes to the procurement process to address issues raised by Council and propose recommended changes; and to consider additional locations that are located in areas with the highest need.**

**Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 12:10 p.m. See separate minutes.**

24. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene.

**Mayor Adler called the Council Meeting back to order at 12:13 p.m.**

**CITIZENS COMMUNICATIONS: GENERAL**

William Flowers – TBA

Patrick Ebomwonyi – Loving police officers.

Patt Valls-Trelles – TBA. **Not present**

Janna Horn – TBA. **Not present**

Robert Mills – Fair housing. **Not present**

Malcolm Yeatts – Country Club Creek trail.

Rebecca Kahn – City's decision on 12/14 to negotiate a contract award with XPresSpa for the massage concession at ABIA.

Karen Sironi – TBA.

Ana Villalobos – No to MLS stadium at Roy Guerrero Park.

Pedro Hernandez Jr. – No to soccer stadium Roy G. Guerrero Colorado River Metropolitan Park. **Not present**

17. Approve a resolution directing the City Manager to update earned sick leave policies for City employees and to repurpose funds to implement Ordinance No. 20180215-049, relating to paid sick time. Council Sponsors: Council Member Gregorio Casar, Council Member Ann Kitchen, Council Member Delia Garza, Mayor Pro Tem Kathie Tovo.

**Resolution No. 20180301-017 was approved on Council Member Casar's motion, Council Member Kitchen's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Flannigan, Garza, Kitchen, Pool and Renteria. Those voting nay were: Council Members Houston and Troxclair.**

22. Set a public hearing to consider an ordinance on first reading approving an application submitted by American Medical Response of Texas, Inc. for a non-emergency medical transfer franchise under City Code Chapter 10-2. (Suggested date and time: March 22, 2018, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

**The public hearing was set on consent for March 22, 2018, 4:00 p.m. at 301 W. Second Street, Austin, TX on consent on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.**

23. Approve a resolution directing the City Manager to study and propose potential updates to the City's Tax Increment Financing (TIF) policy and to align the TIF policy with the Strategic Housing Blueprint and mobility bond goals. Council Sponsors: Housing and Planning Committee  
**The motion to approve the item with the following amendment was made by Council Member Casar and seconded by Council Member Flannigan. The motion was to have the Be it Resolved clause to read:**

**The City Manager is directed to bring back recommendations examining the use of TIFs for affordable housing, whether through direct subsidy or by other means, and offer options to update Austin's TIF Policy to create or incentivize more affordable housing, focusing on the unfunded Homestead Preservation Districts and along the mobility corridors identified in the 2016 Mobility Bond. The recommendations shall consider at least the following:**

- **An overall assessment of the City's existing TIF Policy;**
- **General Fund revenue and requirements;**
- **Financial analysis of how use of TIFs impact future general fund needs;**
- **Determination of how or if TIFs that support affordable housing stimulates economic development;**
- **Use of TIF supported debt for housing;**
- **Use of TIF funds or debt to support the infrastructure required for affordable housing;**
- **Legislative perspective;**
- **Other potential uses for TIFs;**
- **Review of financial and legal frameworks; and**
- **Development of goals and programs in line with the Austin Strategic Housing Blueprint.**

**Resolution No. 20180301-023 was approved as amended above on Council Member Casar's motion, Council Member Flannigan's second on a 10-1 vote. Council Member Troxclair voted nay.**

**Mayor Adler recessed the Council Meeting to go into Executive Session at 12:50 p.m.**

#### **EXECUTIVE SESSION**

**The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.**

25. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**Withdrawn without objection.**
26. Evaluate the performance of, and consider compensation and benefits for, the City Clerk (Personnel matters - Section 551.074 of the Government Code).
27. Evaluate the performance of, and consider compensation and benefits for, the City Auditor (Personnel matters - Section 551.074 of the Government Code).
28. Evaluate the performance of, and consider compensation and benefits for, the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).
29. Discuss legal issues related to the City's Minority and Women-Owned Business Enterprise Procurement Program (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**Withdrawn without objection.**
30. Discuss legal issues related to a potential Pay for Success contract (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**Withdrawn without objection.**
31. Discuss legal issues related to the Planning Commission (Private consultation with legal counsel - Section 551.071 of the Government Code).

**Executive Session ended and Mayor Adler called the meeting back to order at 4:37 p.m.**

#### **ZONING AND NEIGHBORHOOD PLAN AMENDMENTS**

32. NPA-2016-0016.01 - 3212 E. Cesar Chavez Street & 111 Tillery Street - District 3 - Approve second and third readings of an ordinance amending Ordinance No. 20030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3212 E. Cesar Chavez Street and 111 Tillery Street (Colorado River Watershed) from Commercial and Industry to Multifamily and Mixed Use land use. First reading approved on December 7, 2017. Vote: 11-0. Owners Owners/Applicants: Painter Enterprises Inc. (Donald E. Painter) and 3212 Cesar Chavez, LP (Timothy Clark). Agent: Husch Blackwell (Nikelle Meade). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.  
**This item was postponed to April 12, 2018 at the request of the applicant on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
33. C14-2016-0079 - 3212 E. Cesar Chavez Street - District 3 - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 3212 East Cesar Chavez Street and 111 Tillery Street (Colorado River Watershed). Applicant Request: To rezone from limited industrial-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning.



First reading approved on December 7, 2017. Vote: 11-0. Owners: Painter Enterprises Inc. (Donald E. Painter) and 3212 Cesar Chavez, LP (Timothy Clark). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Heather Chaffin, 512- 974-2122. District(s) Affected: District 3. **This item was postponed to April 12, 2018 at the request of the applicant on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

34. C14-2016-0121 - 7700 Parmer Lane - District 6 - Approve third reading of an ordinance amending City Code Title 25 by zoning property locally known as 7700 West Parmer Lane (Lake Creek Watershed). Applicant Request: To rezone from limited industrial-planned development area (LI-PDA) combining district zoning to limited industrial-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. First Reading approved limited industrial-planned development area (LI-PDA) combining district zoning on November 2, 2017. Vote: 9-0. Council Members Casar and Garza were off the dais. Second Reading approved limited industrial-planned development area (LI-PDA) combining district zoning on February 1, 2018. Vote: 11-0. Owner/Applicant: BRI 1869 Parmer, LLC. Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6. **Ordinance No. 20180301-034 for limited industrial-planned development area (LI-PDA) combining district zoning was approved on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
35. NPA-2017-0016.04 - 4813 Gonzales St. & 4820 E. 7th Street - District 3 -Conduct a public hearing to approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known 4813 Gonzales Street and 4820 E. 7th Street (Boggy Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on February 27, 2018. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Husch Blackwell, LLP (Stacey L. Milazzo). City Staff: Maureen Meredith, 512 -974-2695. District(s) Affected: District 3. **This item was postponed to March 22, 2018 at the request of staff on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
36. NPA-2017-0021.01 - 4530 E. Ben White Blvd. -District 3-Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 4530 E. Ben White Blvd. (Country Club Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on February 27, 2018. Owner/Applicant: Belco Equities, Inc. Agent: Coats Rose (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3. **This item was postponed to March 22, 2018 at the request of staff on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.**
37. C14-2017-0141 - SOCO South - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8103 and 8121 South Congress Avenue (South Boggy Creek Watershed). Applicant's Request: To rezone from limited industrial services-conditional overlay (LI-CO) combining district zoning to multi-family residence-moderate-high density (MF-4) district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning, with conditions. Zoning and Platting Commission Recommendation: To be reviewed on March 6, 2018. Owner/Applicant:

Trustee for NFP Partnership (James C. Niemann). Agent: Land Use Solutions, LLC (Michele Haussmann). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

**This item was postponed to April 12, 2018 at the request of staff on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

38. C14-2017-0146 - 2105 West Slaughter Rezoning - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2105 and 2107 West Slaughter Lane; and 2109 Riddle Road (Slaughter Creek Watershed). Applicant's Request: To rezone from neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: THS LLC (Randall Traywick). Agent Metcalfe Wolff Stuart & Williams, LLP (Michele R. Lynch). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180301-038 for neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning, to change a condition of zoning was approved on Council Member Garza's motion, Council Member Kitchen's second on an 10-1 vote. Council Member Flannigan voted nay.**

39. C14-2017-0152 - 3904 Medical Parkway - District 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3904 Medical Parkway (Shoal Creek Watershed). Applicant Request: To rezone from family residential (SF-3) district zoning to limited office (LO) district zoning. Staff Recommendation: To grant limited office - mixed use (LO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on February 20, 2018. Owner: Bennie Lee Engelke, Bobby Dale Engelke, and Dorothy Ann Crawford. Applicant: Thrower Design (Ron Thrower). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 10.

**This item was postponed to March 22, 2018 at the request of staff on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

40. C14-2017-0067 - Champion Tract 1C - District 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6500 FM 2222 Road (West Bull Creek Watershed). Applicant Request: To rezone from neighborhood commercial- conditional overlay (LR-CO) combining district zoning to general commercial services- conditional overlay (CS-CO) combining district zoning. Staff Recommendation: To grant general commercial services- conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To deny general commercial services-conditional overlay (CS-CO) combining district zoning. Owner/Applicant: Champion, Meier Assets, Ltd. (Terry Bray). Agent: Ambrust & Brown, L.L.P (Richard T. Suttle, Jr.). City Staff: Scott Grantham, 512-974-3574.

**This item was postponed to March 22, 2018 at the request of staff on Council Member Garza's motion, Council Member Kitchen's second on an 11-0 vote.**

## **PUBLIC HEARINGS**

41. Conduct a public hearing and consider an ordinance on first reading regarding the application submitted by Allegiance Mobile Health for a non-emergency transfer franchise under City Code Chapter 10-2.

**The public hearing was conducted and a motion to close the public hearing was approved on Council Member Houston's motion, Council Member Garza's second on a 10-0 vote. Council Member Renteria was off the dais.**

**Ordinance No. 20180301-041 was approved on Council Member Houston's motion, Council Member Garza's second on a 10-0 vote. Council Member Troxclair was off the dais.**

42. Conduct a public hearing and consider a request by Kyle Hill, agent for Tasty Spoon, located at 1413 South 1st Street, to waive the distance requirement of City Code Section 4-9-4(A), which requires a minimum of 300 feet between a business that sells alcoholic beverages and a public school. District(s) Affected: District 9.

**The public hearing was conducted and a motion to close the public hearing and grant the request for the waiver was approved on Council Member Flannigan's motion, Council Member Casar's second on a 7-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Flannigan, Kitchen, Pool and Renteria. Those voting nay were: Council Members Garza and Houston. Council Member Alter abstained. Council Member Troxclair was off the dais.**

**Mayor Adler adjourned the meeting at 5:16 p.m. without objection.**

### **LIVE MUSIC**

Lesly Reynaga

### **PROCLAMATIONS**

Distinguished Service Award – Sandra Ortiz, Municipal Court –To be presented by Mayor Steve Adler and to be accepted by the honoree.

Proclamation – Kids Day America - To be presented by Council Member Jimmy Flannigan.

**The minutes were approved on this the 8<sup>th</sup> day of March 2018 on Council Member Alter's motion, Council Member Troxclair's second on an 11-0 vote.**