

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, April 12, 2018**

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, April 12, 2018 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Council Member Alter called the Council Meeting to order at 11:31 a.m. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council discussion of March 19, 2018, work session of March 20, 2018, regular meeting of March 22, 2018, and budget work session of April 4, 2018. **The motion approving the minutes of the City Council discussion of March 19, 2018, work session of March 20, 2018, regular meeting of March 22, 2018, and budget work session of April 4, 2018 were approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.**
2. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent electric transmission and distribution easement consisting of a tract of land, which is approximately 5,920 square feet out of the J.P. Wallace Survey, being a portion of Lot 1, Omega Subdivision, Recorded in Vol. 49, Pg. 72 of the Plat Records of Travis County, Texas, situated in the City of Austin, Travis County, Texas, for the Austin Energy Transmission Circuit 811 upgrade project, in an amount not to exceed \$97,298 including closing costs. District(s) Affected: District 4. **The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent electric transmission and distribution easement for the Austin Energy Transmission Circuit 811 upgrade project was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.**
3. Authorize execution of an agreement with Austin Independent School District to provide performance-based incentives for the generation of solar energy at its facilities located at: Boone Elementary School, 8101 Croftwood Drive; Galindo Elementary School, 3800 South 2nd Street; Kocurek Elementary School, 9800 Curlew Drive; and Paredes Middle School, 10001 David

Moore Drive, for an estimated \$100,929 per year, for a total amount not to exceed \$1,009,290 over a 10-year period. District(s) Affected: District 3, District 5, District 8.

The motion authorizing execution of an agreement with Austin Independent School District was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

4. Approve issuance of incentives for installation of solar electric systems on affordable housing communities to Guadalupe Saldana Neighborhood Development Corporation for facilities located at 1200 Paul Teresa Saldana Street (\$102,600) and 813 East 8th Street (\$200,000) and to Foundation Communities for a facility located at 11015 Four Points Drive (\$200,000), for total incentive payments not to exceed \$502,600 for the three facilities. District(s) Affected: District 1, District 3, District 6.

The motion approving issuance of incentives for installation of solar electric systems on affordable housing communities to Guadalupe Saldana Neighborhood Development Corporation was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

5. Approve an ordinance amending Chapter 15-9 of the City Code, Utility Service Regulations, regarding utility service deposit requirements.

Ordinance No. 20180412-005 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

6. Authorize award and execution of a construction contract with ASD Consultants, Inc. (MBE), for Eilers Neighborhood Park-General Park Improvements-Rebid in the amount of \$337,777.00 plus a \$33,777.70 contingency, for a total contract amount not to exceed \$371,554.70. [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 goals with 14.80% MBE and 13.50% WBE participation.] District(s) Affected: District 10.

The motion authorizing award and execution of a construction contract with ASD Consultants, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

7. Authorize negotiation and execution of a professional services agreement with Trillium Transportation Fuels, LLC dba Trillium CNG, for design and construction of the Compressed Natural Gas Fueling System Upgrade and Expansion project in an amount not to exceed \$1,300,000. [Note: This contract will be awarded in compliance with City Code 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 5.73% MBE and 1.60% WBE participation.] District(s) Affected: District 2.

The motion authorizing negotiation and execution of a professional services agreement with Trillium Transportation Fuels, LLC doing business as Trillium CNG was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

8. Authorize award and execution of a construction contract with Flintco LLC, for the Montopolis Recreation and Community Center CSP Reissue Project, in the amount of \$10,440,000 plus a \$1,560,000 contingency, for a total contract amount not to exceed \$12,000,000. [Note: This

contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 10.16% MBE and 9.53% WBE participation.] District(s) Affected: District 3.

The motion authorizing award and execution of a construction contract with Flintco LLC was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

9. Approve third reading of an ordinance granting a non-emergency medical transfer franchise to Allegiance Mobile Health under Chapter 10-2 of the City Code. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON March 1, 2018.)
Ordinance No. 20180412-009 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
10. Approve second reading of an ordinance renewing a non-emergency medical transfer franchise to American Medical Response of Texas, Inc. under City Code Chapter 10-2. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON March 22, 2018).
The motion approving the ordinance on second reading only was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
11. Authorize the execution of an agreement with Capital Studios Housing, L.P. for partial reimbursement of costs associated with constructing Great Streets streetscape improvements at 11th Street, between Trinity & San Jacinto, in an amount not to exceed \$226,908. District(s) Affected: District 1.
The motion authorizing the execution of an agreement with Capital Studios Housing, L.P. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
12. Approve an ordinance authorizing acceptance of \$25,000 in grant funds from the National League of Cities and amending the Fiscal Year 2017-2018 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 201709013-001) to appropriate \$25,000 for the Cities Supporting a Strong Prenatal to Age 3 Agenda.
This item was postponed to April 26, 2018 on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
13. Authorize negotiation and execution of a contract with Stealth Power, LLC, to provide supplemental vehicle power supply systems, installations, repairs and related parts, for a term of five years in an amount not to exceed \$4,412,500. (Note: Sole source contracts are 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 authorizing negotiation and execution of a contract with Stealth Power, LLC was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

Direction was given to staff to consider options available that would allow more contracts to be subject the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program.

14. Authorize award and execution of a multi-term contract with CLO2 Services, LLC, to provide chlorine dioxide onsite generation services, for up to five years for a total contract amount not to exceed \$605,000. (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, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
The motion authorizing award and execution of a multi-term contract with CLO2 Services, LLC was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
15. Authorize negotiation and execution of multi-term contracts with Sisk-Robb Inc., Building Abatement Demolition Company Inc., and AAR Inc., or one of the other qualified offerors to Request For Proposals 1100 CAK0020, to provide lead, mold, and asbestos abatement, for up to five years for total contract amounts not to exceed \$4,100,000 divided among the contractors. (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, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
The motion authorizing negotiation and execution of multi-term contracts with Sisk-Robb Inc.; Building Abatement Demolition Company Inc.; and AAR Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
16. Authorize award and execution of a multi-term contract with H. Brown, Inc., to provide heavy hauling services, for up to five years for a total contract amount not to exceed \$2,896,875. (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, there were no subcontracting opportunities identified; therefore, no subcontracting goals were established).
The motion authorizing award and execution of a multi-term contract with H. Brown, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
17. Authorize award and execution of a multi-term contract with Priester-Mell & Nicholson, to provide station post insulators, for up to five years for a total contract amount not to exceed \$440,000. (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 Priester-Mell & Nicholson was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

18. Authorize negotiation and execution of a multi-term contract through the National Joint Powers Alliance cooperative purchasing program with Wright Express Financial D/B/A Wright Express, to provide fuel credit cards and credit card services, for up to 39 months for a total contract amount not to exceed \$2,221,000. (Note: This procurement 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 procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
The motion authorizing negotiation and execution of a multi-term contract through the National Joint Powers Alliance cooperative purchasing program with Wright Express Financial doing business as Wright Express was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
19. Authorize negotiation and execution of a multi-term contract with Leidos Cyber, Inc., to provide maintenance, support and training for existing Industrial Defender automated systems manager software, for up to five years for a total contract amount not to exceed \$528,000. (Note: Sole source contracts are exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).
The motion authorizing negotiation and execution of a multi-term contract with Leidos Cyber, Inc. was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
20. Authorize negotiation and execution of a multi-term contract with Ascend Analytics, LLC, to provide hosted software for valuing, simulating and managing Austin Energy's energy portfolio, for up to five years for a total amount not to exceed \$965,000. (Note: Sole Source contracts are exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).
The motion authorizing negotiation and execution of a multi-term contract with Ascend Analytics, LLC was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
21. Authorize negotiation and execution of a multi-term contract with John L. Wortham & Son, L.P. D/B/A Wortham Insurance & Risk Management, to provide cyber liability broker services for cyber liability insurance coverage for Austin Energy, for up to five years for a total contract amount not to exceed \$2,425,000. (Note: This procurement 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 procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
The motion authorizing negotiation and execution of a multi-term contract with John L. Wortham & Son, L.P. doing business as Wortham Insurance & Risk Management was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
22. Authorize negotiation and execution of a multi-term contract with The University of Texas at Austin D/B/A TEXAS Extended Campus, to provide small business training, for up to three years for a total contract amount not to exceed \$510,000. (Note: Contracts with non-profit entities are

exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

The motion authorizing negotiation and execution of a multi-term contract with The University of Texas at Austin doing business as TEXAS Extended Campus was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

23. Authorize negotiation and execution of a contract with The University of Texas at Austin D/B/A Austin Technology Incubator, to provide small business consulting services, for a term of one year for a total contract amount not to exceed \$250,000. (Note: Contracts with non-profit entities are exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).
The motion authorizing negotiation and execution of a contract with The University of Texas at Austin doing business as Austin Technology Incubator was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
24. Approve an ordinance suspending a Gas Reliability Infrastructure Program interim customer surcharge proposed by Texas Gas Service Company.
Ordinance No. 20180412-024 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

Item 25 was pulled for discussion.

26. Approve an ordinance waiving or reimbursing fees for the Saltillo Day in Austin event sponsored by the Austin Saltillo Sister Cities Association held on Saturday, April 7, 2018 at Plaza Saltillo. Council Sponsors: Council Member Sabino 'Pio' Renteria, Council Member Delia Garza, Council Member Ora Houston, Council Member Alison Alter.
Ordinance No. 20180412-026 was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
27. Approve a resolution directing the city manager to provide recommendations to Council on the best use of limited public safety dollars amongst potential public safety investments. Council Sponsors: Council Member Gregorio Casar, Council Member Jimmy Flannigan, Council Member Alison Alter, Council Member Ann Kitchen, Mayor Steve Adler.
Resolution No. 20180412-027 was approved as amended below on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

An amendment striking the last sentence in the Be It Resolved clause and replace it with "The City Manager is directed to provide a preliminary update on the framing and approach recommended for the report to the Council by May 10, 2018, and an update on the plan for the first year by August 1, 2018." was made by Council Member Casar. The amendment was accepted without objection.

Item 28 was pulled for discussion.

29. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Texas Peace Officers' Memorial event, sponsored by the Texas Peace Officers Memorial Foundation, held on Saturday April 7, 2018 at Plaza Saltillo. Council Sponsors: Mayor Pro Tem Kathie Tovo, Council Member Alison Alter, Council Member Delia Garza, Council Member Ann Kitchen, Council Member Ora Houston.
The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Texas Peace Officers' Memorial event was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
30. Set a public hearing to receive citizen input on the City's Fiscal Year 2018-2019 Action Plan, as required by the U.S. Department of Housing and Urban Development and Texas Local Government Code, Chapter 373. (Suggested date and time: April 26, 2018, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set on consent for April 26, 2018, 4:00 p.m. at 301 West Second Street, Austin, TX on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
52. Authorize negotiation and execution of an interlocal agreement in the form of a license agreement with Travis County that will permit the City to station an ambulance and personnel at the Travis County Sheriff's Office West Command Center, 3800 Hudson Bend Road.
The motion authorizing negotiation and execution of an interlocal agreement in the form of a license agreement with Travis County was approved on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
53. Set a public hearing to consider expanding the Austin Downtown Public Improvement District by adding one parcel of land, at 425 West Riverside Drive, as requested by the property owner. (Suggested date and time: April 26, 2018, 4:00 p.m. at Austin City Hall, 301 West 2nd Street, Austin Texas).
The public hearing was set on consent for April 26, 2018, 4:00 p.m. at 301 West Second Street, Austin, TX on consent on Council Member Flannigan's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
31. 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.
The meeting of the Austin Housing Finance Corporation was cancelled.

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.

32. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.

DISCUSSION ITEMS

28. Approve an ordinance waiving city code section 2-5-102 (Membership of Council Committees) related to the number of members per committee. Council Sponsors: Mayor Steve Adler, Council Member Ellen Troxclair, Council Member Leslie Pool, Mayor Pro Tem Kathie Tovo.
A motion to approve the ordinance was made by Council Member Pool and seconded by Council Member Casar.

An amendment to replace the language “Council Member Troxclair” with “the Chair” was made by Council Member Pool. The amendment was accepted without objection.

Ordinance No. 20180412-028 was approved as amended above on Council Member Pool’s motion, Council Member Casar’s second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

25. 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.
A motion to approve the resolution was made by Council Member Pool and seconded by Council Member Casar.

An amendment to revise the resolution was made by Council Member Pool. The amendment to replace the language “Council Member Troxclair” with “the Chair” in the first Be It Resolved clause and to insert Mayor Pro Tem Tovo as the chair and Council Member Pool as the vice chair in the Further Be It Resolved clause was made by Council Member Pool. The amendment was accepted without objection.

The following appointments and Resolution No. 20180412-025 were approved as amended on Council Member Pool’s motion, Council Member Casar’s second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

Nominations

<u>Board/Nominee</u>	<u>Nominated by</u>
<u>College Student Commission</u> Haley Entrop	Concordia University
<u>College Student Commission</u> Krista Gehlhausen	Concordia University
<u>College Student Commission</u> Ellery Steffensen	Concordia University
<u>College Student Commission</u> Antanese Kinard	Huston-Tillotson University
<u>College Student Commission</u> Jared Breckenridge	Huston-Tillotson University

<u>College Student Commission</u> Juan Zuniga	Huston-Tillotson University
<u>College Student Commission</u> Richard Vega	Austin Community College
<u>College Student Commission</u> Denise Basore	Austin Community College
<u>College Student Commission</u> Joseph Ramirez	St. Edwards University
<u>College Student Commission</u> Maya Boehm	St. Edwards University
<u>College Student Commission</u> J'Reisz Garcia	St. Edwards University
<u>College Student Commission</u> Chelseaia Charran	University of Texas at Austin
<u>College Student Commission</u> Pablo Pratt	University of Texas at Austin
<u>College Student Commission</u> Madison Goodrich	University of Texas at Austin
<u>Joint Sustainability Committee</u> Katie Coyne	Environmental Commission
<u>Mexican American Cultural Center Advisory Board</u> Endi Silva	Mayor Pro Tem Tovo
<u>Mexican American Cultural Center Advisory Board</u> Tomás Medina	Council Member Pool

Waivers

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Regina Adams on the MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee.

**Board Bylaws
Joint Inclusion Committee**

Council Member Alter recessed the meeting at 11:54 a.m.

Council Member Alter reconvened the meeting at 12:00 p.m.

CITIZENS COMMUNICATIONS: GENERAL

Pat Valls-Trelles – TBA

Nicole Nagel – Citizen Communication Platform

Sylvia Mendoza – TBA

Walter Long – Support of CM Houston Resolution regarding 1928 City Code

Akwasi Evans – Economic Disparity – **Not Present.**

Council Member Alter recessed the meeting at 12:14 p.m.

Council Member Alter reconvened the meeting at 2:01 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

33. 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 May 10, 2018 at the request of the applicant on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.**
34. 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 May 10, 2018 at the request of the applicant on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.**

35. C14-2017-0116 - Texas Health and Science University Library and Dormitory - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4004 Valley View Road (West Bouldin Creek Watershed). Applicant Request: from family residence (SF-3) district zoning to limited office - mixed use (LO-MU) combining district zoning. Staff Recommendation: To grant limited office - mixed use (LO-MU) combining district zoning. Planning Commission Recommendation: To grant limited office - mixed use-conditional overlay (LO-MU-CO) combining district zoning. Owner/Applicant: Lisa and Paul Lin. Agent: Landanswers (Jim Wittliff). City Staff: Andrew Moore, 512-974-7604. District(s) Affected: District 5.
This item was postponed indefinitely.
37. C14-2017-0051 -Waters Park Commercial - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12219, 12219 ½ and 12221 Waters Park Road (Walnut Creek Watershed). Applicant Request: To rezone from rural residence (RR) district zoning, limited office (LO) district zoning and general office (GO) district zoning to commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 1 and community commercial-conditional overlay (GR-CO) combining district zoning for Tract 2. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 1 and community commercial-conditional overlay (GR-CO) combining district zoning for Tract 2, with conditions. Zoning and Platting Commission Recommendation: To deny the rezoning request. Owner/Applicant: Bar Czar, LLC (Matias Segura III). Agent: South Lano Strategies (Glen Coleman). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.
This item was withdrawn.
38. C14-2016-0136 - Broadmoor - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11501 Burnet Road (Walnut Creek Watershed). Applicant Request: To rezone from north burnet/gateway-commercial mixed use-neighborhood plan (NBG-CMU-NP) combining district zoning to north burnet/gateway-transit oriented development- -neighborhood plan (NBG-TOD-NP) combining district zoning. Staff Recommendation: To grant north burnet/gateway-transit oriented development- -neighborhood plan (NBG-TOD-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant north burnet/gateway-transit oriented development- -neighborhood plan (NBG-TOD-NP) combining district zoning, with conditions. Owner/Applicant: Brandywine Austin, LLC (Leon Shadowen). Agent: Drenner Group, PC (Dave Anderson). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.
The public hearing was conducted and a motion to leave the public hearing open and approve the ordinance on first reading only for north burnet/gateway-transit oriented development - neighborhood plan (NBG-TOD-NP) combining district zoning, with conditions was approved on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.
39. C14-2017-0123 - South Chisholm Professional Offices - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1109 West Slaughter Lane (Slaughter Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to limited office-mixed use (LO-MU) combining district zoning. Staff Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Owner/Applicant:

Mario Solis. Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

This item was postponed to April 26, 2018 at the request of the neighborhood on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

40. C14-2018-0006 - Loyola Landing - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6651 Ed Bluestein Boulevard and 5601 Durango Pass (Walnut Creek Watershed) from community commercial (GR) district zoning, limited office (LO) district zoning, multifamily residence medium density (MF-3) district zoning and family residence (SF-3) district zoning to community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use (CS-MU) combining district zoning on Tract 2. Staff Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use conditional overlay (CS-MU-CO) combining district zoning on Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use conditional overlay (CS-MU-CO) combining district zoning on Tract 2. Owners/Applicants: 3 S & D Interests, Harold K. Kaermerle, Jr., Sharie Kaermele, and Patrick T. Kaermerle (David Kalisz). Agent: A. Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

This item was postponed to April 26, 2018 at the request of Council Member Houston on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

41. C14-75-042 - (RCT1) Loyola Landing- District 1 - Conduct a public hearing and approve a restrictive covenant termination on property locally known as 6651 Ed Bluestein Boulevard (Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Zoning and Platting Commission Recommendation: To grant the restrictive covenant termination. Owners/Applicants: 3 S & D Interests (David Kalisz). Agent: A. Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

This item was postponed to April 26, 2018 at the request of Council Member Houston on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

42. C14-75-042 - (RCT2) - Loyola Landing- District 1 - Conduct a public hearing and approve a restrictive covenant termination on property locally known as 6651 Ed Bluestein Boulevard (Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Zoning and Platting Commission Recommendation: To grant the restrictive covenant termination. Owners/Applicants: 3 S & D Interests (David Kalisz). Agent: A. Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

This item was postponed to April 26, 2018 at the request of Council Member Houston on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

43. C14-84-346 - (RCT1) Loyola Landing- District 1 - Conduct a public hearing and approve a restrictive covenant termination on property locally known as 5601 Durango Pass (Walnut Creek

Watershed). Staff Recommendation: To grant the restrictive covenant termination. Zoning and Platting Commission Recommendation: To grant the restrictive covenant termination. Owners/Applicants: 3 S & D Interests, Harold K. Kaermerle, Jr., Sharie Kaermele, and Patrick T. Kaermerle (David Kalisz). Agent: A. Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

This item was postponed to April 26, 2018 at the request of Council Member Houston on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

44. C14-84-346 - (RCT2) Loyola Landing- District 1 - Conduct a public hearing and approve a restrictive covenant termination on property locally known as 5601 Durango Pass (Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Zoning and Platting Commission Recommendation: To grant the restrictive covenant termination. Owners/Applicants: 3 S & D Interests, Harold K. Kaermerle, Jr., Sharie Kaermele, and Patrick T. Kaermerle (David Kalisz). Agent: A. Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

This item was postponed to April 26, 2018 at the request of Council Member Houston on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

45. C14-76-083 - (RCA2) Loyola Landing- (District 1) - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 5601 Durango Pass (Walnut Creek Watershed). Staff Recommendation: To grant the restrictive covenant amendment. Zoning and Platting Commission Recommendation: To grant the restrictive covenant amendment. Owners/Applicants: 3 S & D Interests, Harold K. Kaermerle, Jr., Sharie Kaermele, and Patrick T. Kaermerle (David Kalisz). Agent: A. Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

This item was postponed to April 26, 2018 at the request of Council Member Houston on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

46. NPA-2016-0014.01 - 4500 Nuckols Crossing Road - District 2 -Conduct a public hearing to approve an ordinance amending Ordinance No. 021010-11, the Southeast 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 4500 Nuckols Crossing Road (Williamson Creek Watershed) from Single Family to Multifamily land use. Staff Recommendation: To deny Multifamily land use. Planning Commission Recommendation: To be reviewed on April 10, 2018. Owner/Applicant: Angelos Angelou and John Sasaridis. Agent: Throrer Design (A. Ron Throrer). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 2.

This item was postponed to May 24, 2018 at the request of staff on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

47. C14-2017-0010 - 4500 Nuckols Crossing Road Rezoning - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4500 Nuckols Crossing Road (Williamson Creek Watershed). Applicant's Request: To rezone

from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation: To deny multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on April 10, 2018. Owner/Applicant: Angelou Angelos and John Sasaridis. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

This item was postponed to May 24, 2018 at the request of staff on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

48. C14-2017-0130 - Genesis Autos - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4410 East William Cannon Drive (Williamson Creek Watershed). Applicant's Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: Genesis Autos (Daniel Garcia). Agent: LOC Consultants (Sergio Lozano-Sanchez, P.E.). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

This item was postponed to May 10, 2018 at the request of the applicant on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

49. C14-2017-0132 - 4515 South Congress Rezoning - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4515 South Congress Avenue and 134 Sheraton Avenue (Williamson Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner: Life Storage LP (Michael J. Rogers). Applicant: LEMCO Holdings, LLC (David Cox). Agent: Armbrust & Brown, PLLC (Michael Whellan). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 3.

This item was postponed to April 26, 2018 at the request of the neighborhood on Council Member Pool's motion, Council Member Kitchen's second on a 6-0 vote. Council Member Casar was off the dais. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

Council Member Alter recessed the meeting at 2:10 p.m.

Council Member Alter reconvened the meeting at 4:00 p.m.

DISCUSSION ITEMS CONTINUED

36. 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 grant multi-family residence-moderate-high density (MF-4) district zoning, with conditions. 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.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180412-036 for multi-family residence-moderate-high density (MF-4) district zoning, with conditions was approved on Council Member Pool's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

50. C14H-2018-0014 - West Sixth Street Bridge over Shoal Creek - District 9 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as the West Sixth Street Bridge over Shoal Creek in the 800 block of W. 6th Street from public (P) district to public - historic landmark (P-H) combining district zoning. Staff Recommendation: To grant public - historic landmark (P-H) combining district zoning. Historic Landmark Commission Recommendation: To grant public - historic landmark (P-H) combining district zoning. Planning Commission Recommendation: To grant public - historic landmark (P-H) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180412-050 for public - historic landmark (P-H) combining district zoning was approved on Council Member Pool's motion, Council Member Houston's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

PUBLIC HEARINGS

51. Conduct a public hearing and consider an ordinance amending the Regulating Plan for the North Burnet Gateway Zoning District to create a new Commercial Mixed Use-Gateway Zone subdistrict. District(s) Affected: District 7.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180412-051 was approved on Council Member Pool's motion, Council Member Renteria's second on a 7-0 vote. Mayor Adler, Mayor Pro Tem Tovo, Council Members Garza and Troxclair were absent.

Council Member Alter adjourned the meeting at 4:05 p.m. without objection.

LIVE MUSIC

Black Heart Saints

PROCLAMATIONS

Sexual Assault Awareness Month – To be presented by Council Member Greg Casar

Crime Victims' Rights Week – To be presented by Council Member Leslie Pool

Austin Give 5% to Mother Earth Day – To be presented by Council Member Leslie Pool

Lemonade Day Austin – To be presented by Council Member Jimmy Flannigan

UT Austin Healthy Student Organization Program – To be presented by Mayor Pro Tem Kathie Tovo

The minutes were approved on this the 26th day of April 2018 on Mayor Pro Tem Tovo's motion, Council Member Renteria's second on a 10-0 vote. Council Member Troxclair was absent.