

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, AUGUST 9, 2018****Invocation: Dusty Brian, Trinity Baptist 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, August 9, 2018 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:22 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approval of the Austin City Council work session of June 12, 2018, special called of June 13, 2018, council discussion of June 26, 2018, work session of June 26, 2018, special called of June 27, 2018 and regular meeting of June 28, 2018.
The motion approving the minutes of the City Council work session of June 12, 2018, special called of June 13, 2018, council discussion of June 26, 2018, work session of June 26, 2018, special called of June 27, 2018 and regular meeting of June 28, 2018 were approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.
2. Approve issuance of a rebate to Fairmont Austin, for performing energy efficiency improvements at its Fairmont Hotel Austin located at 101 Red River Street, in an amount not to exceed \$206,014. District(s) Affected: District 9.
The motion approving the issuance of a rebate to Fairmont Austin was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.
3. Approve an ordinance amending the Fiscal Year 2017-2018 Austin Energy Operating Budget (Ordinance No. 20170913-001) to decrease the Austin Energy Operating Fund Ending Balance by \$556,694 and increase the Conservation Rebates expenses by \$556,694 to provide additional funding for the Austin Energy Customer Assistance Program's Low Income Weatherization program.

Ordinance No. 20180809-003 was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.

4. Authorize negotiation and execution of an interlocal agreement with the City of Round Rock for the operation and maintenance of the Brushy Creek Regional Wastewater System. District(s) Affected: District 6.

The motion authorizing negotiation and execution of an interlocal agreement with the City of Round Rock was approved on consent on Council Member Garza's motion, Council Member Alter's on an 11-0 vote.

5. Authorize negotiation and execution of a financing agreement with the Texas Water Development Board for a 20-year low interest loan in the amount of \$3,000,000 from the State Water Implementation Fund for Texas loan program for costs to implement Austin Water's Advanced Metering Infrastructure project.

The motion authorizing negotiation and execution of a financing agreement with the Texas Water Development Board was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

6. Approve an ordinance amending City Code Chapter 15-5 related to on-site sewage facilities.

The motion to postpone this item indefinitely, at the request of staff on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

7. Authorize award and execution of a construction contract through Sourcewell with ChargePoint Inc., for construction and equipment installation services for electric vehicle charging infrastructure, in the amount of \$1,500,000 for an initial 2-year term, with two 1-year extension options of \$850,000 each, for a total contract amount not to exceed \$3,200,000. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9 A (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this procurement, there was insufficient availability of MBE and WBE firms; therefore, no subcontracting goals were established.]

The motion authorizing award and execution of a construction contract through Sourcewell with ChargePoint Inc., was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.

8. Authorize negotiation and execution of an amendment to the professional services agreement with AECOM Technical Services Inc., for additional construction phase and support services for the Davis Water Treatment Plant Treated Water Discharge System project in the amount of \$761,538, for a total contract amount not to exceed \$7,761,538. [Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 16.34% MBE and 24.07% WBE.]

The motion authorizing negotiation and execution of an amendment to the professional services agreement with AECOM Technical Services Inc., was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

9. Authorize award and execution of a construction contract with Control Panels USA, Inc., for the River Place MUD and Lost Creek MUD Volume I: Reservoir and Package project in the amount of \$2,238,900 plus an \$111,945 contingency, for a total contract amount not to exceed \$2,350,845. [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 24.54% MBE and 15.07% WBE participation.] District(s) Affected: District 6, District 8, District 10.

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

10. Authorize negotiation and execution of a professional services agreement with AECOM Technical Services Inc., (staff recommendation) or the other qualified responder for Request for Qualifications Solicitation No. CLMP243, to provide design, construction, and engineering services for the Ullrich Water Treatment Plant Centrifuge Rehabilitation/Replacement Project in an amount not to exceed \$2,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.8% MBE and 15.8% WBE participation.] District(s) Affected: District 8.

The motion authorizing negotiation and execution of a professional services agreement with AECOM Technical Services Inc., was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

11. Authorize negotiation and execution of a construction manager-at-risk agreement with Austin Commercial, LP, for preconstruction and construction phase services for the new information technology building at the Austin-Bergstrom International Airport campus, for a total amount not to exceed \$30,000,000. [Note: This contract will be awarded in compliance with the Disadvantaged Business Enterprise (DBE) Program Requirements (49CFR Part 26) by meeting the goals with 6.00% DBE participation.] District(s) Affected: District 2.

The motion authorizing negotiation and execution of a construction manager-at-risk agreement with Austin Commercial, LP, was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

12. Approve an ordinance ordering a general municipal election to be held on November 6, 2018, for the purpose of electing a Mayor (at large) and City Council Members (single member districts) for District 1, District 3, District 5, District 8, and District 9; ordering a special election to submit to the voters proposed charter amendments; ordering a special election to submit to the voters a proposed citizen-initiated ordinance, certified sufficient on April 23, 2018, regarding whether there must be both a waiting period and subsequent voter approval before any comprehensive revisions of the City's land development laws may go into effect; ordering a special election for the purpose of authorizing the issuance of general obligation bonds; providing for the conduct of the general and special elections, including authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the elections; and declaring an emergency. District(s) Affected: District 1, District 3, District 5, District 8, District 9.

Item 12 was withdrawn without objection.

Items 13 through 15 were pulled for discussion.

16. Approve a resolution adopting the South Congress Preservation and Improvement District Service and Assessment Plan and Budget update for 2019. Related to item #104. District(s) Affected: District 9.
Resolution No. 20180809-016 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.
17. Approve a resolution adopting the East Sixth Street Public Improvement District Service and Assessment Plan and Budget update for calendar year 2019. Related to item #105. District(s) Affected: District 9.
Resolution No. 20180809-017 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.
18. Approve a resolution adopting the Austin Downtown Public Improvement District Service and Assessment Plan and Budget update for 2019. Related to item #106. District(s) Affected: District 1, District 9.
Resolution No. 20180809-018 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Item 19 was pulled for discussion.

20. Authorize negotiation and execution of an interlocal agreement with Travis County to integrate management of hazardous material containment, especially responding to Hazardous Materials incidents, by sharing personnel, equipment, technology and data, for an initial term of one year with up to five additional one-year terms.
The motion to postpone this item to August 23, 2018 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.
21. Authorize negotiation and execution of a legal services agreement with Richards Rodriguez and Skeith related to a legal dispute with KBR/Espey, the 'Joint Venture' and its successors, regarding professional engineering, design and construction management services for the Waller Creek tunnel project, for a total contract not to exceed \$770,000.
The motion authorizing negotiation and execution of a legal services agreement with Richards Rodriguez and Skeith was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.
22. Approve a payment not to exceed \$205,500 for a judgment and associated costs in Reveles et al v. City of Austin, Cause No. D-1-GN-14-001211, in the 53rd Judicial District, Travis County, Texas.
The motion approving the payment, in the above-referenced judgment, by the City paying \$205,500.00 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

23. Authorize negotiation and execution of a legal services contract with Hornberger, Fuller & Garza for services related to real estate contract negotiations for the acquisition of a headquarters for Austin Energy in an amount not to exceed \$200,000.
The motion authorizing negotiation and execution of a legal services contract with Hornberger, Fuller & Garza was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.
24. Authorize negotiation and execution of a contract with PROQUEST LLC to provide subscription services, for an initial term of 12 months in an amount not to exceed \$80,000, with four 12-month renewal options for a total amount not to exceed \$488,408.
The motion authorizing negotiation and execution of a contract with ProQuest LLC was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.
25. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of certificates of obligation in the amount of \$6,000,000 to be issued for the funding of transportation safety and mobility projects that were previously planned to be funded through payments from Capital Metropolitan Transportation Authority.
Resolution No. 20180809-025 was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.
26. Authorize negotiation and execution of an interlocal agreement with Austin Travis County Mental Health Mental Retardation Center dba Integral Care for consultation services for the Travis County Behavioral Health and Criminal Justice Advisory Committee in an amount not to exceed \$25,000 for a 12-month period beginning September 1, 2018.
The motion authorizing negotiation and execution of an interlocal agreement with Austin Travis County Mental Health Mental Retardation Center doing business as Integral Care was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.
27. Approve a resolution adopting the City's Fiscal Year 2018-2019 Action Plan related to the allocation of the United States Department of Housing and Urban Development (HUD) grant funds; authorizing the City Manager to submit grant applications and certifications related to the HUD grant funds; and authorizing the City Manager to execute documents necessary to carry out these purposes.
Resolution No. 20180809-027 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.
28. Authorize the negotiation and execution of a 60-month lease agreement, with two one-year extension options, for approximately 11,839 square feet of hangar space and 2,542 square feet of office space for the Austin Police Department with Austin Executive Airport Services, LLC, a Texas Limited Liability Company, said property being located at 6012 Aviation Drive, in an amount not to exceed \$1,029,804.10 (Austin 2-mile ETJ).

The motion authorizing negotiation and execution of a 60-month lease agreement with Austin Executive Airport Services, LLC, was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

29. Authorize the negotiation and execution of an 87-month lease agreement, with one five-year extension option, for approximately 60,750 square feet of office and warehouse space for the Austin Transportation Department with IND AUSTX CTC, LLC, a Delaware Limited Liability Company, said property being located at 8700 and 8900 Cameron Road, in an amount not to exceed \$7,762,518.90. District(s) Affected: District 4.

The motion authorizing negotiation and execution of an 87-month lease agreement with IND AUSTX CTC, LLC, was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

30. Approve an ordinance vacating approximately 4.44 acres of certain portions of Congress Avenue, 16th Street, 17th Street, and 18th Street, all out of Division E of the Government Tract adjoining the Original City of Austin, to the Texas Facilities Commission, and waiving City Code Section 14-11-75 (Payment for Right-of-Way). District(s) Affected: District 1.

Ordinance No. 20180809-030 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Council directed the city manager to include on the legislative agenda the issues on ledgers.

31. Authorize the execution of an agreement with Neches Hyatt House Extended Stay for reimbursement of costs associated with constructing Great Streets streetscape improvements at 901 Neches Street, in an amount not to exceed \$73,230. District(s) Affected: District 1.

The motion authorizing the execution of an agreement with Neches Hyatt House Extended Stay was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Item 32 was pulled for discussion.

33. Authorize negotiation and execution of Amendment No. 4 to the agreement with Asian American Resource Center, Inc. for the provision of community health navigation services to Asian American immigrant groups, adding three 12-month extension options beginning October 1, 2018 in an amount not to exceed \$155,000 per extension option for a total agreement amount not to exceed \$807,775.

The motion authorizing negotiation and execution of Amendment No. 4 to the agreement with Asian American Resource Center, Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.

34. Authorize negotiation and execution of a multi-term contract with Waste Repurposing International Inc., to provide recycling of alkyds and solvents, for up to five years for a total contract amount not to exceed \$355,000. (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 negotiation and execution of a multi-term contract with Waste Repurposing International Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

35. Authorize award and execution of a contract with Texian Geospatial and Asset Solutions, LLC, to provide global positioning system equipment, in an amount not to exceed \$115,128. (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. There were no subcontracting opportunities for the goods required for this solicitation; therefore, no subcontracting goals were established).

The motion authorizing award and execution of a contract with Texian Geospatial and Asset Solutions, LLC was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

36. Authorize negotiation and execution of a contract with CLS Sewer Equipment Co. Inc., to provide GraniteNet Pipeline system software upgrade services, for a term of five years for a total contract amount not to exceed \$438,188. (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 contract with CLS Sewer Equipment Co. Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

37. Authorize negotiation and execution of a contract with OW Investors LLC D/B/A MARS Company, for the upgrade of software and system components on water meter test benches including ongoing license and support fees, for a term of five years in an amount not to exceed \$412,000. (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 contract with OW Investors LLC doing business as MARS Company was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

38. Authorize award and execution of a multi-term contract with Praxair Distribution Inc., to provide liquid carbon dioxide, for up to five years for a total contract amount not to exceed \$1,750,000. (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. There were no subcontracting opportunities for the goods required for this solicitation; therefore, no subcontracting goals were established).

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

39. Authorize negotiation and execution of a contract with Freeman Decorating Co. D/B/A Freeman Audio Visual, Inc., to provide audio visual and rigging services, for a term of five years for a total estimated contract revenue amount of \$3,500,000. (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 to postpone this item to August 23, 2018 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Council directed staff to negotiate labor fees and labor neutrality language into the contract and directed the City Manager to look at a way to include the requirement for the labor peace agreement.

40. Authorize award and execution of a multi-term contract with Thatcher Company, Inc., to provide powdered activated carbon, for up to five years for a total contract amount not to exceed \$1,500,000. (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. There were no subcontracting opportunities for the goods required for this solicitation; therefore, no subcontracting goals were established).

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

41. Authorize negotiation and execution of a contract with Geographic Information Services, Inc., or one of the other qualified offerors to Request for Proposals 5600 GAZ0102, to provide geospatial data model assessment, redesign, and implementation services, for a term of one year in an amount not to exceed \$130,600. (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. There were no subcontracting opportunities for the services required for this solicitation; therefore, no subcontracting goals were established).

The motion authorizing negotiation and execution of a contract with Geographic Information Services, Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Item 42 was pulled for discussion.

43. Authorize negotiation and execution of a multi-term contract with Austin Music Foundation, to provide a workforce development and continuing education program for local musicians, for up to three years for a total contract amount not to exceed \$225,000. (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 Austin Music Foundation was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.

44. Authorize an amendment to an existing contract with Capital Investing in Development & Employment of Adults, Inc. D/B/A Capital IDEA, to provide continued workforce development services, for an increase in the amount of \$319,200, for a revised total contract amount not to exceed \$10,353,100. (Note: The contract was awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this contract).

The motion authorizing an amendment to an existing contract with Capital Investing in Development & Employment of Adults, Inc. doing business as Capital IDEA was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.

45. Authorize negotiation and execution of a multi-term contract with Austin Regional Manufacturers Association D/B/A ARMA, to provide workforce development services, for up to three years for a total contract amount not to exceed \$360,000. (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 Austin Regional Manufacturers Association doing business as ARMA was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

46. Authorize negotiation and execution of two multi-term contracts for pest control services, one contract with TIBH Industries Inc., and one cooperative contract with Noles Pest Services LLC., D/B/A Pestmaster Services of Austin, both for up to five years for total contract amounts not to exceed \$1,520,400 divided between the contractors. (Notes: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D 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 two multi-term contracts for pest control services, one contract with TIBH Industries Inc., and one cooperative contract with Noles Pest Services LLC., doing business as Pestmaster Services of Austin was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

47. Authorize negotiation and execution of a cooperative contract with Fitness In Motion, for exercise equipment, in an amount not to exceed \$96,000. (Note: This procurement 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

procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing negotiation and execution of a cooperative contract with Fitness In Motion was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Item 48 was pulled for discussion.

49. Authorize negotiation and execution of a multi-term contract with Convergent Technologies, LLC, to provide maintenance and support for the airport security access control and video management system, for up to five years for a total contract amount not to exceed \$3,488,583. (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 a multi-term contract with Convergent Technologies, LLC was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

50. Authorize negotiation and execution of a multi-term contract with SAAMA Technologies, Inc., for maintenance and support of the SAAMA standardized crime record software, for up to five years for a total contract amount not to exceed \$491,573. (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 multi-term contract with SAAMA Technologies, Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

51. Authorize negotiation and execution of a contract with StarChase, LLC, to provide a pursuit management technology solution and equipment including installation, training, software support, and warranty services, for a term of five years in an amount not to exceed \$130,140. (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 StarChase, LLC was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

52. **Action was taken on item 52 but later reconsidered.**

53. Approve an ordinance amending the Fiscal Year 2017-2018 Telecommunications and Regulatory Affairs Department Operating Budget Special Revenue Fund (Ordinance No. 20170912-001) to accept and appropriate an additional \$20,000 in grant funds from US Ignite for the Smart Gigabit Communities Program to fund development of applications that use high speed broadband networks to benefit the community.

Ordinance No. 20180809-053 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

54. 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, certain related waivers and amendments to board and commission bylaws were approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Nominations

Board/Nominee	Nominated by
Code and Ordinances Joint Committee Dustin Breithaupt	Zoning and Platting Commission Rep.
Comprehensive Plan Joint Committee James Schissler	Planning Commission Rep.
Planning Commission Tracy Witte	Council Member Houston
Mexican American Cultural Center Advisory Board Art Navarro	Mayor Adler
South Central Waterfront Advisory Board Francoise Luca	Parks and Recreation Board Rep.
Tourism Commission Rachel Magee	Council Member Casar
Tourism Commission Edward Bailey	Council Member Renteria
Tourism Commission Timothy Whittington	Mayor Adler
Zoning and Platting Commission Nadia Barrera-Ramirez	Mayor Adler

Waivers

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of David Dixon on the Electric Board. The waiver includes absences through today's date.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Matt Hart on the Building and Fire Code Board of Appeals. The waiver includes absences through today's date.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Romteen Farasat on the Parks and Recreation Board. The waiver includes absences through today's date.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of John Green on the Building and Standards Commission. The waiver includes absences through today's date.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Brennan Griffin on the Bond Oversight Commission. The waiver includes absences through today's date.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Robert Schmidt on the Electric Board. The waiver includes absences through today's date.

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Michael Casias on the Parks and Recreation Board. The waiver includes absences through today's date.

Approval of Universal Changes to Bylaws for the following Boards:

**BYLAWS OF THE
Urban Transportation Commission**

55. Approve an ordinance correcting Ordinance No. 20180628-122 which waived or reimbursed certain fees for the Austin Fermentation Festival to be held on October 21, 2018. Council Sponsors: Council Member Jimmy Flannigan, Council Member Delia Garza, Mayor Steve Adler, Council Member Sabino 'Pio' Renteria, Council Member Ann Kitchen. District(s) Affected: District 9.
Ordinance No. 20180809-055 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.
56. Approve a resolution directing the City Manager to negotiate a lease amendment with Planned Parenthood of Greater Texas for the building located at 1823 East 7th Street. Council Sponsors: Mayor Steve Adler, Council Member Delia Garza, Council Member Gregorio Casar, Council Member Sabino 'Pio' Renteria, Council Member Ann Kitchen. District(s) Affected: District 3.

Resolution No. 20180809-056 was approved on consent on Council Member Garza's motion, Council Member Alter's second on a 10-1 vote. Council Member Troxclair voted nay.

57. Approve a resolution proclaiming 'Barton Springs University Day' and allowing free admission to Barton Springs Pool on Tuesday, September 25, 2018. Council Sponsors: Mayor Pro Tem Kathie Tovo, Mayor Steve Adler, Council Member Leslie Pool, Council Member Ellen Troxclair, Council Member Ann Kitchen.

Resolution No. 20180809-057 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

58. Approve a resolution directing the City Manager to identify potential sources of funding for the continuation of the Expanded Mobile Crisis Outreach Team. Council Sponsors: Mayor Pro Tem Kathie Tovo, Council Member Ora Houston, Council Member Ann Kitchen, Council Member Delia Garza.

Resolution No. 20180809-058 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Council directed the City Manager to look at other community partners or governmental entities that can assist with funding programs that may be lost due to the federal government cutting funding.

59. Approve a resolution expressing Council's desire that city resources, including fee waivers, be used only for Veterans Day events and parades that only honor those who have served in the United States of America's Armed Forces. Council Sponsors: Mayor Steve Adler, Council Member Gregorio Casar, Council Member Sabino 'Pio' Renteria, Mayor Pro Tem Kathie Tovo.

Resolution No. 20180809-059 was approved on consent on Council Member Garza's motion, Council Member Alter'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 Member Houston and Troxclair.

60. Approve a resolution to explore an independent third party appeals process for municipal employees when certain healthcare claims are denied. Council Sponsors: Mayor Pro Tem Kathie Tovo, Mayor Steve Adler, Council Member Ora Houston, Council Member Ann Kitchen, Council Member Delia Garza.

Resolution No. 20180809-060 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Council directed the City Manager to include support for bills on the upcoming legislative agenda that will assist our municipal employees and their benefit claims.

Item 61 was pulled for discussion.

62. Approve a resolution creating a temporary donated sick leave program for sworn Austin Police Department employees on the same terms as provided in the 2013-17 meet and confer agreement between the City and the Austin Police Association. Council Sponsors: Council Member Ellen

Troxclair, Council Member Alison Alter, Council Member Jimmy Flannigan, Council Member Ora Houston, Council Member Ann Kitchen.

Resolution No. 20180809-062 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

63. Approve an ordinance waiving or reimbursing certain fees for Polish language lessons sponsored by the Austin Polish Society to be held between September 2018 and May 2019 at the Asian American Resource Center. Council Sponsors: Mayor Pro Tem Kathie Tovo, Council Member Leslie Pool, Council Member Alison Alter, Mayor Steve Adler. District(s) Affected: District 1.

Ordinance No. 20180809-063 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

64. Approve an ordinance waiving or reimbursing certain fees for Family Day at Barton Springs sponsored by the Housing Authority of the City of Austin to be held August 11, 2018 at Barton Springs Pool. Council Sponsors: Council Member Ora Houston, Mayor Pro Tem Kathie Tovo, Council Member Leslie Pool, Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria.

Ordinance No. 20180809-064 was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

65. Set a public hearing for an application to be submitted to the Texas Department of Housing and Community Affairs by KCG Development, LLC, or an affiliated entity, to construct a multi-family development to be known as Legacy Ranch @ Dessau East, located near the intersection of Harrisglenn Boulevard and Fish Lane (Suggested date and time: August 30, 2018 beginning at 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 August 30, 2018, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

66. Set public hearings to receive public comment on the City of Austin Fiscal Year 2018-2019 Proposed Budget. (Suggested dates and times: August 22, 2018, at 1:00 p.m. and August 30, 2018, at 4:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for August 22, 2018, at 1:00 p.m. and August 30, 2018, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Items 67 was pulled for discussion.

68. Set a public hearing to receive public comment on proposed rate and fee changes for Austin Energy as part of the Fiscal Year 2018-2019 Proposed Budget. (Suggested dates and times: August 22, 2018, at 1:00 p.m. and August 30, 2018, at 4:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for August 22, 2018, at 1:00 p.m. and August 30, 2018, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Item 108 and 109 were pulled for discussion.

110. Authorize negotiation and execution of a contract with ARAG Services, LLC, a subsidiary of ARAG North America, Inc., to provide a group pre-paid legal plan, for a term of five years, for a total contract amount not to exceed \$4,228,000. (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 negotiation and execution of a contract with ARAG Services, LLC, a subsidiary of ARAG North America, Inc. was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.

Items 111 through 113 were pulled for discussion.

DISCUSSION ITEMS

32. Approve an ordinance creating City Code Chapter 13-7 to enact regulations for vehicle immobilization services (vehicle booting); authorizing related fees; and creating offenses.

The motion to approve the ordinance was made by Mayor Pro Tem Tovo and seconded by Council Member Garza.

The motion to amend the booting fee from \$50 to \$100 failed on Council Member Houston's motion, Council Member Pool's second on a 4-6 vote. Those voting aye were: Council Members Alter, Flannigan, Houston and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Kitchen and Pool. Council Member Renteria abstained.

The motion to amend the resolution was approved on Council Member Casar's motion on an 11-0 vote.

The amendment was to:

Revise §13-7-42 REQUIREMENTS FOR INSTALLATION AND REMOVAL OF A BOOT to read: "(4) remove a boot without charge to the vehicle owner or operator, or to the parking lot owner, if the removal is requested before the boot is completely installed and a conspicuous notice has been adhered to the front windshield or driver's side window of the vehicle at the time of immobilization as required under Section 13-7-44 (Notification of Vehicle Owner);"

The motion to approve the ordinance on first reading only, as amended above, was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 6-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Flannigan, Garza, and Kitchen. Those voting nay were Council Members Houston, Pool and Troxclair. Council Members Alter and Renteria abstained.

42. Authorize award and execution of a multi-term contract with Emancipet, Inc., to provide heartworm treatment services for dogs, for up to five years for a total contract amount not to exceed \$675,000. (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 Emancipet, Inc. was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on an 11-0 vote.**

CITIZENS COMMUNICATIONS: GENERAL

Paul Robbins – City and budget issues including the Customer Assistance Program

Susan Reda – TBA

Angela Gettis – Ruth Program- Women helping women with a hand up

Dr. Koo-Hyun Kim – Democratization at Austin City Council equal protection of all persons – the City of Austin and due process to protect Jesus and Democracy – rule of law City has multi-million dollars for homeless animals no penny for Dr. Kim.

Tom Rott – The Austin Animal Center **Not present**

Sylvia Mendoza – TBA

Lesia Walker – TBA

Adette Quintana – Dog related issues

Joyce Beck TBD **Not present**

Lotta Smagula – Dog Walking Enrichment Program.

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:28 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.

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

72. Discuss legal issues related to Austin Country Club v. City of Austin, Cause No. D-1-GN-17-006525 in the 126th Judicial District for Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.
73. Discuss legal issues related to Nelson Linder et al v. City of Austin et al, Cause No. D-1-GN-18-002688 in the 201st Judicial District for Travis County, Texas. (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.
74. Discuss legal issues related to the November 2018 election (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.
75. Discuss real estate and legal matters related to the purchase, exchange, lease or value of an interest in real property and improvements for a Major League Soccer stadium to be located at 10414 McKalla Place (Real property - Section 551.072 of the Government Code and Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.

Mayor Adler stated item 113 would also be discussed in Executive Session.

113. Approve an ordinance ordering a general municipal election to be held on November 6, 2018, for the purpose of electing a Mayor (at large) and City Council Members (single member districts) for District 1, District 3, District 5, District 8, and District 9; ordering a special election to submit to the voters proposed charter amendments; ordering a special election to submit to the voters a proposed citizen-initiated ordinance, certified sufficient on April 23, 2018, regarding whether there must be both a waiting period and subsequent voter approval before any comprehensive revisions of the City's land development laws may go into effect; ordering a special election to submit to the voters a proposed citizen-initiated ordinance, certified sufficient on August 3, 2018, relating to an efficiency study of the city's operational and fiscal performance; ordering a special election for the purpose of authorizing the issuance of general obligation bonds; providing for the conduct of the general and special elections, including authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the elections; and declaring an emergency. District(s) Affected: District 1, District 3, District 5, District 8, District 9.

Executive Session ended and Mayor Adler called the Council Meeting back to order at 2:47 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

76. C14-2017-0096 - Walnut Park II - District 7 - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 12139-12205 North Lamar Boulevard (Walnut Creek Watershed). Applicant Request: To rezone from limited office (LO) district zoning to multi-family residence-low density (MF-2) district zoning. First reading approved multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, with conditions on February 1, 2018. Vote: 11-0. Owner/Applicant: Walnut Park Phase II, Ltd. (Larry Peel, Manager). Agent: Civile, LLC (Lawrence M. Hanrahan). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.
Ordinance No. 20180809-076 for multi-family residence-low density-conditional overlay (MF-2-CO) combining district zoning, with conditions was approved on Mayor Pro Tem

Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

79. 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: September 11, 2018. Owner/Applicant: Belco Equities, Inc. Agent: Coats Rose (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

The motion to postpone this item to September 20, 2018 at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

80. NPA-2016-0005.04 - 500 Montopolis Drive -District 3-Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-005, the Montopolis 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 500 Montopolis Drive (Country Club East) from Single Family to Mixed Use land use. Staff Recommendation: Neighborhood Mixed Use. Planning Commission Recommendation: To deny Applicant's request for Mixed Use land use. Owner/Applicant: Keep Investment Group. Agent: Drenner Group (Amanda Swor). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

The motion to postpone this item indefinitely at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

81. C14H-2017-0055 - 500 Montopolis - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 500 Montopolis Drive (Country Club East Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-historic landmark-neighborhood plan (GR-MU-H-NP) combining district zoning and community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Historic Landmark Commission: To grant community commercial-mixed use-historic landmark-conditional overlay-neighborhood plan (GR-MU-H-CO-NP) combining district zoning and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Owner: KEEP Investment Group, LLC (Austin Stowell). Applicant: City of Austin Planning and Zoning Department (Jerry Rusthoven). City Staff: Heather Chaffin, 512- 974-2122. District(s) Affected: District 3.

The motion to postpone this item indefinitely at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

82. NPA-2017-0016.03 - 3232 & 3306 E. Cesar Chavez Street - District 3 - Conduct a public hearing and 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 as 3232 & 3306 E. Cesar Chavez Street (Colorado River Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on August 28, 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.

The motion to postpone this item to September 20, 2018 at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

83. C14-2017-0138 - 3232 and 3306 East Cesar Chavez Rezoning - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3232 and 3306 East Cesar Chavez 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. Staff Recommendation: To grant 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. Planning Commission Recommendation: To be reviewed August 28, 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. City Staff: Heather Chaffin, 512- 974-2122. District(s) Affected: District 3.

The motion to postpone this item to September 20, 2018 at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

84. NPA-2017-0016.05 -Tillery MF-District 3-Conduct a public hearing and 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 as 507 Tillery Street (Boggy Creek Watershed) from Single Family to Multifamily. Staff Recommendation: To grant Multifamily land use. Planning Commission Recommendation: To be reviewed on August 14, 2018. Owner/Applicant: 507 Tillery House, LLC. Owner/Applicant: 507 Tillery House LLC (Caren W. Wendt and Katheryn L Ingerly). City Staff: Maureen Meredith, (512) 974-2695..De District(s) Affected: District 3.

The motion to postpone this item to September 20, 2018 at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

85. C14-2017-0106 - Tillery MF - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 507 Tillery Street (Colorado River and Boggy Creek Watersheds). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed August 14, 2018. 507 Tillery House LLC (Caren W. Wendt and Katheryn L Ingerly). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

The motion to postpone this item to September 20, 2018 at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

86. C14-2017-0066 - Braker Lane Rezoning Part A- District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 914 East Braker Lane (Walnut Creek Watershed). Applicant Request: To rezone from single family residence standard lot (SF-2) district zoning to single family residence small lot (SF-4A) district zoning and community commercial (GR) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed August 7, 2018. Owner/Applicant: Richard Raymond Peterson and Carol Ann Peterson Starr. Agent: Carlson, Brigrance & Doering, Inc. (Charles Brigrance). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

The motion to postpone this item to September 20, 2018 at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

87. C14-2017-0100 - Braker Lane Rezoning Part B - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 914 East Braker Lane (Walnut Creek Watershed). Applicant Request: To rezone from single family residence standard lot (SF-2) district zoning and development reserve (DR) district zoning to single family residence small lot (SF-4A) district zoning and community commercial (GR) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed August 7, 2018. Owner/Applicant: Richard Raymond Peterson and Carol Ann Peterson Starr. Agent: Carlson, Brigrance & Doering, Inc. (Charles Brigrance). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

The motion to postpone this item to September 20, 2018 at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

88. C14-2018-0002 - Delwau Campgrounds - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7715 Delwau Lane (Colorado River Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning and commercial liquor sales-mixed use-conditional overlay (CS-1-MU-CO) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning and commercial liquor sales-mixed use-conditional overlay (CS-1-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning and commercial liquor sales-mixed use-conditional overlay (CS-1-MU-CO) combining district zoning, with conditions. Owner/Applicant: Delwau LLC (Adam Zimmerman). Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

The motion to postpone this item to August 23, 2018 at the request of the neighborhood was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

89. C14-2018-0044 - First Citizens Bank - District 10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4101 Marathon Boulevard (Waller Creek Watershed). Applicant Request: To rezone from limited office (LO) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To

grant neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on August 7, 2018. Owner/Applicant: First Citizens Bank (Elizabeth Kolepp-Mayer). Agent: Kimley Horn and Associates (Joel Wixson). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 10.

The motion to postpone this item to September 20, 2018 at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

Council Member Alter indicated she may be absent on September 20, 2018 and would request the item then be postponed to October 4, 2018.

91. NPA-2018-0026.02 - Powell Lane Apartments - District 4 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20100624-110, the North Lamar 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 411 & 601 E. Powell Lane & 410, 500, 502, 504, 508 and 606 E. Wonsley Drive (Little Walnut Creek Watershed) from Neighborhood Mixed Use and Mixed Use/Office to Multifamily land use. Staff Recommendation: To grant Multifamily land use. Planning Commission Recommendation: To grant Multifamily land use. Owners: HDF Investments, Ltd. (Helen Doris Clark Foster) and Behzad Bahrami. Applicant: JCI Residential, LLC (Sam Kumar). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 4.
The motion to postpone this item to August 23, 2018 at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.
92. C14-2018-0024 - Powell Lane Apartments - District 4 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 411 & 601 East Powell Lane and 410, 500, 502, 504, 508, and 606 East Wonsley Drive (Little Walnut Creek Watershed). Applicant Request: To rezone from limited office-mixed use-neighborhood plan combining (LO-MU-NP) district zoning and neighborhood commercial-mixed use-neighborhood plan combining (LR-MU-NP) district zoning to multifamily residence-moderate-high density-neighborhood plan combining (MF-4-NP) district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning, with conditions. Owner: HDF Investments, Ltd. (Helen Doris Clark Foster) and Behzad Bahrami. Applicant: JCI Residential, LLC (Sam Kumar). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 4.
The motion to postpone this item to August 23, 2018 at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.
93. NPA-2018-0026.01 - Austin Suites- District 4-Conduct a public hearing and approve an ordinance amending Ordinance No. 20100624-110, the North Lamar 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 8300 North Interstate Highway 35 Southbound Service Road (Little Walnut Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land Use. Owner/Applicant: Collin Brothers, Artesia Real Estate. Agent: Stantec Consulting Services (Stephen Rye). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 4.

The motion to approve the ordinance on first reading only and keep the public hearing open was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

94. C14-2018-0022 - Austin Suites - District 4 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8300 North Interstate Highway-35 Southbound Service Road (Little Walnut Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay-neighborhood plan combining (CS-CO-NP) district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan combining (CS-MU-CO-NP) district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan combining (CS-MU-CO-NP) district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan combining (CS-MU-CO-NP) district zoning. Owner/Applicant: Collin Brothers, Artesia Real Estate. Agent: Stantec Consulting Services (Stephen Rye). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 4.

The motion to approve the ordinance on first reading only and keep the public hearing open was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

95. C14-2018-0034 -Andy G's- District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2715 East 5th Street and 420 North Pleasant Valley Road (Lady Bird Lake Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning on Tract 1 and commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning on Tract 2. Staff Recommendation: To grant general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning on Tract 1 and commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning on Tract 2. Planning Commission Recommendation: To grant general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning on Tract 1 and commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning on Tract 2. Owner/Applicant: QAAZ International, LLC (Mohammad Ghulam). Agent: Bennett Consulting (Rodney Bennett). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180809-095 for general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning on Tract 1 and commercial liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning on Tract 2 was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

96. C14-2017-0004 - Braker Office/Condo Park - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1308 East Braker Lane (Walnut Creek Watershed) from multifamily residence low density-conditional overlay (MF-2-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed August 21, 2018. Owner/Applicant: Realty One Texas (Vu Chung and Sinh Le). Agent: Impact Design & Architecture Group, Inc. (James Fisher). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

The motion to postpone this item to September 20, 2018 at the request of staff was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

97. C14-2018-0052 -12408 Harris Branch Parkway- District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning and rezoning property locally known as 12408 Harris Branch Parkway (Harris Branch Watershed) from interim rural residence (I-RR) district zoning and limited office-conditional overlay (LO-CO) combining district zoning to industrial park (IP) district zoning. Staff Recommendation: To grant industrial park (IP) district zoning. Zoning and Platting Commission Recommendation: To grant industrial park (IP) district zoning. Owner/Applicant: HB EXP LLC (Donald Clauson). Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 9-1 vote. Council Member Flannigan voted nay. Council Member Houston was off the dais.

98. C14-2018-0060 - Leo Street Residential - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8707 Leo Street (Slaughter Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to family residence-conditional overlay (SF-3-CO) combining district zoning. Staff Recommendation: To grant family residence-conditional overlay (SF-3-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant family residence-conditional overlay (SF-3-CO) combining district zoning. Owner/Applicant: Georgian Whitenight and Leigh Mires. Agent: Land Answers, Inc. (Jim Wittliff). 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. 20180809-098 for family residence-conditional overlay (SF-3-CO) combining district zoning was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 9-1 vote. Council Member Flannigan voted nay. Council Member Houston was off the dais.

99. C14-2018-0033 - 10610 Macmora Road - District 4 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 10610 Macmora Road (Little Walnut Creek Watershed). Applicant Request: To rezone from single family residence-large lot-neighborhood plan (SF-1-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Owner/Applicant: Shawn Lauzon. Agent: Reilly Realtors (Alex Larsen). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 4.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180809-099 for family residence-neighborhood plan (SF-3-NP) combining district zoning was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on a 10-0 vote. Council Member Houston was off the dais.

DISCUSSION ITEMS CONTINUED

90. C14-2018-0035 - Metric at Howard - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 13614 Metric Boulevard (Little Walnut Creek Watershed). Applicant Request: To rezone from townhouse and

condominium residence (SF-6), general office (GO) and community commercial (GR) district zoning to general office (GO) district zoning. Staff Recommendation: To grant general office (GO) district zoning. Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Owner/Applicant: Catoosa Springs Partners, LP (John Bultman). Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20180809-090 for general office (GO) district zoning without conditional overlay (C) was approved on Council Member Pool's motion, Council Member Flannigan's second on a 10-0 vote. Council Member Houston was off the dais.

78. Briefing on the Project Assessment Report for the Circuit of the Americas Planned Unit Development, located at 9201 Circuit of the Americas Boulevard, within the Dry Creek Watershed (CD-2018-0004). District(s) Affected: District 2.

The motion to postpone this item to August 23, 2018 was approved on Mayor Adler's motion on an 11-0 vote.

108. Approve a resolution adopting a maximum proposed property (ad valorem) tax rate of 44.82 cents per \$100 taxable value that the City Council will consider for Fiscal Year 2018-2019; and setting the date that the Council will adopt the Fiscal Year 2018-2019 property (ad valorem) tax rate (Suggested date and time: September 11, 2018 at 10:00 a.m. Austin City Hall, 301 West Second Street, Austin TX).

The motion to approve the resolution as amended below was made by Council Member Alter and seconded by Council Member Flannigan.

The amendment was to:

Revise the resolution to approve the maximum proposed ad valorem tax rate that the Council will consider for Fiscal Year 2018-2019 to 44.2 cents per \$100 taxable value; and the Council will adopt the Fiscal Year 2018-2019 ad valorem tax rate at 10:00 a.m. on September 11, 2018, at City Hall, 301 West Second Street, Austin, Texas.

The motion to amend the tax rate to 44.05 cents per \$100 taxable value or 5.5% failed on Council Member Houston's motion, Council Member Troxclair's second on a 4-7 vote. Those voting aye were: Council Members Flannigan, Houston, Pool and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Garza, Kitchen and Renteria.

The motion to amend the tax rate to 44.82 cents per \$100 taxable value or 8% failed on Council Member Garza's motion, Council Member Casar's second on a 5-6 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Casar, Garza, Pool and Renteria. Those voting nay were: Mayor Adler, Council Members Alter, Flannigan, Houston, Kitchen and Troxclair.

Resolution No. 20180809-108 was approved as amended above on Council Member Alter's motion, Council Member Flannigan's second on an 11-0 vote.

67. Set public hearings on the proposed property (ad valorem) tax rate for Fiscal Year 2018-2019 (Suggested dates and times: August 22, 2018 at 1:00 p.m. and August 30, 2018 at 4:00 p.m., Austin City Hall, 301 West Second Street, Austin, TX).
The public hearing was set on consent for August 22, 2018 at 1:00 p.m. and August 30, 2018, 4:00 p.m. at 301 W. Second Street, Austin, TX on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 11-0 vote.
52. Authorize negotiation and execution of a multi-term contract with Health Care Service Corporation D/B/A Blue Cross Blue Shield of Texas, to provide self-funded medical program administration services, pharmacy benefit management services, and stop-loss insurance coverage, for up to five years, for a total contract amount not to exceed \$97,870,000. (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 negotiation and execution of a multi-term contract with Health Care Service Corporation doing business as Blue Cross Blue Shield of Texas was approved on consent on Council Member Garza's motion, Council Member Alter's second on an 11-0 vote.
- The motion to reconsider Item 52 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.**
- The motion authorizing negotiation and execution of a multi-term contract with Health Care Service Corporation doing business as Blue Cross Blue Shield of Texas was approved on Council Member Flannigan's motion, Council Member Houston's second on an 11-0 vote.**
48. Authorize negotiation and execution of a contract with GILA LLC, D/B/A Municipal Services Bureau D/B/A MSB or one of the other qualified offerors to Request For Qualification Statements 4600 EAD0302, to provide collection of delinquent Municipal Court case balances, for a term of five years. (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 to postpone this item to August 23, 2018 was approved on Mayor Adler's motion on an 11-0 vote.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

77. Briefing on the Project Assessment Report for the 218 South Lamar Planned Unit Development, located at 218 South Lamar Boulevard, within the Lady Bird Lake Watershed within the Urban Watershed (CD-2018-0003). District(s) Affected: District 5.
The motion to postpone this item to August 23, 2018 was approved on Mayor Adler's motion without objection on a 10-0 vote. Mayor Pro Tem Tovo was off the dais.

61. Action was taken on item 61 but later reconsidered.

PUBLIC HEARINGS

101. Conduct a public hearing and consider an ordinance levying 2019 assessments for property of Whisper Valley Public Improvement District. District(s) Affected: District 1.
The motion to postpone this item to August 23, 2018 was approved on Mayor Adler's motion on an 11-0 vote.

102. Conduct a public hearing and consider an ordinance levying 2019 assessments for property in the Estancia Hill Country Public Improvement District 5.
The motion to close the public hearing was approved on Council Member Pool's motion, Council Member Houston's second on an 11-0 vote.

Resolution No. 20180809-102 was approved on Council Member Pool's motion, Council Member Kitchen's second on an 11-0 vote.

103. Conduct a public hearing and consider an ordinance levying 2019 assessments for property in the Indian Hills Public Improvement District. District(s) Affected: District 1.
The motion to close the public hearing was approved on Council Member Pool's motion, Council Member Houston's second on an 11-0 vote.

Resolution No. 20180809-103 was approved on Council Member Pool's motion, Council Member Kitchen's second on an 11-0 vote.

104. Conduct a public hearing and consider an ordinance setting the assessment rate and approving the certified 2019 assessment roll for the South Congress Preservation and Improvement District. Related to Item #16. District(s) Affected: District 9.
The motion to close the public hearing was approved on Council Member Pool's motion, Council Member Houston's second on an 11-0 vote.

Resolution No. 20180809-104 was approved on Council Member Pool's motion, Council Member Kitchen's second on an 11-0 vote.

105. Conduct a public hearing and consider an ordinance setting the assessment rate and approving the certified 2019 assessment roll for the East Sixth Street Public Improvement District (PID). Related to Item #17. District(s) Affected: District 9.
The motion to close the public hearing was approved on Council Member Pool's motion, Council Member Houston's second on an 11-0 vote.

Resolution No. 20180809-105 was approved on Council Member Pool's motion, Council Member Kitchen's second on an 11-0 vote.

106. Conduct a public hearing and consider an ordinance setting the assessment rate and approving the certified 2019 assessment roll for the Austin Downtown Public Improvement District. Related to Item #18. District(s) Affected: District 1, District 9.
The motion to close the public hearing was approved on Council Member Pool's motion, Council Member Houston's second on an 11-0 vote.

Resolution No. 20180809-106 was approved on Council Member Pool's motion, Council Member Kitchen's second on an 11-0 vote.

107. Conduct a public hearing and consider a resolution for an application to be submitted to the Texas Department of Housing and Community Affairs by Pedcor Investments-2018-CLXXI, L.P., or an affiliated entity, for the construction of an affordable multi-family development to be known as the Grand Station Apartments, located at the 16,000 block of Bratton Lane, in the Extraterritorial Jurisdiction of the City of Austin.
The motion to close the public hearing was approved on Council Member Pool's motion, Council Member Flannigan's second on an 11-0 vote.

Resolution No. 20180809-107 was approved on Council Member Pool's motion, Council Member Garza'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.

DISCUSSION ITEMS CONTINUED

111. Approve a resolution finding that CodeNEXT is no longer a suitable mechanism to achieve its stated goals and directing the City Manager to develop and propose a new process leading to a Land Development Code that achieves the stated goals of the City as outlined in the Imagine Austin Comprehensive Plan, the Strategic Housing Blueprint, and the Austin Strategic Direction 2023 Plan. Council Sponsors: Council Member Jimmy Flannigan, Council Member Sabino 'Pio' Renteria, Council Member Delia Garza, Council Member Gregorio Casar.
The motion to approve the resolution was made by Council Member Flannigan and seconded by Council Member Renteria.

The motion to amend the resolution was approved on Council Member Alter's motion, Council Member Pool's second and accepted without objection.

The amendment was to:

Revise the second Be It Resolved clause to add: "Austin's Watershed Protection Master Plan"

The motion to amend the resolution was approved on Council Member Pool's motion and accepted without objection.

The amendment was to:

Add a new Whereas clause to read: "Whereas, many residents, businesses, and stakeholder groups throughout the community have expressed significant concerns that the CodeNEXT process has not reflected their input or produced a draft code they believe is consistent with Imagine Austin or adequately addresses Austin's challenges; and"

The motion to amend the resolution was approved on Council Member Pool's motion and accepted without objection.

The amendment was to:

Revise the Be It Further Resolved clause to read: "The City Manager is directed to develop and propose a new process leading to a Land Development Code that achieves the stated

goals of the City as outlined in the Imagine Austin Comprehensive Plan, the Strategic Housing Blueprint, Austin's Watershed Protection Master Plan, and the Austin Strategic Direction 2023 Plan, and will consider any recommendations the City Manager may derive from the findings in an future City Auditor's special report that may be undertaken."

Resolution No. 20180809-111 was approved as amended above on Council Member Flannigan's motion, Council Member Renteria's second on an 11-0 vote.

69. Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of approximately 0.0465 acres (2,027 square feet) of land in the Marquita Castro Survey Number 50, Abstract Number 160, Travis County, Texas, being out of and a portion of the remainder called 8.39 acres of land as conveyed by Amir Batoei to Austin IR Tacoma, LP, in that certain special warranty deed as recorded in Document Number 2015023241, and being a portion of the same 8.39 acres of land as described to Majid Hemmasi in that certain trustee's warranty deed as recorded in Document Number 2010066548, both of the official public records of Travis County, Texas, in the amount of \$55,164, for the public use of electric transmission and distribution facilities. The owner of the needed property interest is David Hemmasi as Independent Executor for the Estate of Majid Hemmasi, deceased, and Austin IR Tacoma LP. The public use necessitating this acquisition is the relocation of a portion of Austin Energy's Transmission Circuit #975. The property is located on the south side of East Howard Lane across from Kearns Drive, approximately one-half mile south of Immanuel Road, within Austin's 2-mile extraterritorial jurisdiction (ETJ), in Travis County, Texas.

Resolution No. 20180809-069 was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on an 8-0 vote. Council Members Houston, Pool and Troxclair abstained.

70. Approve second and third readings of an ordinance regarding floodplain variances for the construction of a multi-family building and associated parking at 1301 W. Koenig Lane within the 25-year and 100-year floodplains of the Grover Tributary of Shoal Creek. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON June 28, 2018). District(s) Affected: District 7.

Ordinance No. 20180809-070 was approved on Council Member Pool's motion, Council Member Renteria's second on a 7-4 vote. Those voting aye were: Council Members Casar, Flannigan, Garza, Pool, Kitchen, Renteria and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter and Houston.

PUBLIC HEARINGS CONTINUED

100. Conduct a public hearing and consider an ordinance amending the Imagine Austin Comprehensive Plan by adopting the North Shoal Creek Neighborhood Plan for the area bounded by Research Boulevard to the north, Burnet Road to the east, Anderson Lane to the south, and Mopac Expressway to the west. District(s) Affected: District 7.

The motion to approve the ordinance on first reading only and keep the public hearing open was approved on Council Member's Pool motion, Council Member Alter's second on an 11-0 vote.

Mayor Adler recessed the meeting at 5:31 p.m. for Live Music and Proclamations.

LIVE MUSIC

Andrea Smith

PROCLAMATIONS

Certificate of Recognition – Naomi Lands, Valedictorian, Reagan High School – To be presented by Mayor Steve Adler and to be accepted by the honoree.

Distinguished Service Award – Chuck Lesniak – To be presented by Mayor Steve Adler and to be accepted by the honoree.

Distinguished Service Award – Bart Jennings – To be presented by Mayor Steve Adler and to be accepted by the honoree.

Proclamation – Americans with Disabilities Act 28th Anniversary – To be presented by Mayor Steve Adler and to be accepted by David Ondich, ADA Program Manager.

Proclamation – Austin Water Platinum Certification – To be presented by Mayor Pro Tem Kathie Tovo and to be accepted by Daryl Slusher, Assistant Director, Austin Water.

Proclamation – Derrick Lewis Day – To be presented by Mayor Steve Adler and to be accepted by the honoree.

Certificates of Recognition – District 7 Artists – To be presented by Council Member Leslie Pool and to be accepted by the honorees.

Mayor Adler called the Council Meeting back to order at 7:09 p.m.

DISCUSSION ITEMS CONTINUED

61. Approve a resolution relating to guidance for implementation of general obligation bond projects and programs for the November 2018 bond election. Council Sponsors: Council Member Gregorio Casar, Council Member Ann Kitchen, Mayor Steve Adler, Mayor Pro Tem Kathie Tovo.

The motion to approve the resolution was made by Council Member Casar and seconded by Council Member Kitchen.

The motion to amend the resolution was approved on Council Member Kitchen's motion, Council Member Casar's second on an 11-0 vote.

The amendment was to:

Revise the third Whereas clause, bullet 2 to read: "\$128 million for Libraries, Museums, and other Cultural Arts Facilities to plan, acquire, construct, renovate, improve, and equip

community and cultural facilities, libraries, museums, and cultural and creative arts facilities, and acquire land and interests in land necessary to do so;"

Revise the fourth Be It Further Resolved clause to read:

- “ Libraries
- Community and Cultural Facilities
- Museums
- Cultural and Creative Arts Facilities”

The motion to amend the resolution was approved on Council Member Casar’s motion, and accepted without objection.

The amendment was to:

Revise the third Be It Further Resolved clause, bullet 3 to read: “Provision of low and moderate income housing in high opportunity areas throughout the City, gentrifying areas, and areas susceptible to gentrification and displacement, and ability to promote integration across incomes.”

The motion to amend the resolution was approved on Council Member Casar’s motion, and accepted without objection.

The amendment was to:

Revise the first Be It Further Resolved clause, to add: “Bond proceeds shall be expended with an emphasis on equity and need.”

The motion to prioritize the bond issues failed on Council Member Flannigan’s Council Member Houston’s second on a 3-8 vote. Those voting aye were: Council Members Flannigan, Houston and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Alter, Casar, Garza, Kitchen, Pool, and Renteria.

The motion to amend the resolution was approved on Council Member Alter’s motion, Council Member Flannigan’s second and accepted without objection.

The amendment was to:

Revise the fourth Be It Further Resolved clause, second directive, to add: “The City Manager is directed to use \$108.3 million to fund the following libraries.”

Revise the fourth Be It Further Resolved clause, third directive, to add: “The City Manager is directed to use \$19.7 million to fund the following libraries.”

Resolution No. 20180809-061 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, Garza, Houston, Kitchen, Pool, and Renteria. Those voting nay were: Council Members Flannigan and Troxclair.

The motion to reconsider Item 61 was approved on Council Member Casar's motion, Council Kitchen's second on a 10-1 vote. Council Member Troxclair voted nay.

The motion to amend the resolution was made by Council Member Casar and accepted without objection.

The amendment was to:

Revise the fourth Be It Further Resolved clause, second directive, to read: "The City Manager is directed to use \$108 million to fund the following libraries."

Revise the fourth Be It Further Resolved clause, third directive, to read: "The City Manager is directed to use \$20 million to fund the following libraries."

Resolution 20180809-061 was approved as amended above on Council Member Casar's motion on a 10-1 vote. Council Member Troxclair voted nay.

19. Authorize negotiation and execution of agreements with Precourt Sports Ventures, LLC, or its affiliates, related to the construction, lease, and occupancy of a sports stadium and associated infrastructure and development on a city-owned site located at 10414 McKalla Place, under terms outlined in a term sheet. District(s) Affected: District 7.

The motion authorizing negotiation and execution of agreements with Precourt Sports Ventures, LLC was made by Mayor Adler and Council Member Flannigan.

The motion to postpone this item to August 15, 2018 was approved on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.

AFTER 10:00 P.M.

The motion to waive the rules and allow Council to meet after 10:00 p.m. was approved on Council Member Garza's motion, Council Member Flannigan's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Flannigan, Garza, Kitchen, Pool and Troxclair. Those voting nay were: Council Members Alter and Houston. Council Member Renteria was off the dais.

109. Council discussion and possible action related to plans submitted in response to Resolution No. 20180628-060 regarding development on a city-owned site located at 10414 McKalla Place. District(s) Affected: District 7.

The motion to postpone this item to August 15, 2018 was approved on Council Member Kitchen's motion, Council Member Renteria's second on an 11-0 vote.

13. Approve a resolution repealing resolutions related to economic development programs and adopting economic development Guiding Principles and a Chapter 380 Policy.

The motion to approve the resolution was made by Council Member Casar and seconded by Council Member Kitchen.

The motion to postpone to August 23, 2018 was approved on Mayor Adler's motion and accepted without objection.

14. Approve an ordinance establishing a Business Expansion Program pursuant to Texas Local Government Code Chapter 380.

The motion to approve the ordinance was made by Council Member Casar and seconded Council Member Kitchen.

The motion to amend the ordinance was approved on Council Member Casar's motion, Council Member Kitchen's second and accepted without objection.

The amendment was to:

Add Part 3 to read: "Resolution No. 2012-0112-058 regarding application of the Minority-Women Owned Business Enterprises (M/WBE) Program is waived solely for categories 1 and 2 described in Exhibit A."

The motion to add a non-waivable to the minimum requirements for Business Expansion was approved on Council Member Casar's motion, Council Member Kitchen's second and accepted without objection.

The amendment was to add: "The City living wage must be paid to the Austin-based employees of the business receiving incentives, and there will be no waiver or exception process for this wage requirement.

For Economic incentives provided to higher-wage firms, economic incentives shall only be granted to those firms for providing other community benefits other than high wage jobs. Such community benefits could include, but would not be limited to, achieving the goal of the Workforce Master Plan: bring Austinites up from below 200% of the federal poverty line into jobs that lift them above that standard."

The motion to add Bonus Qualifiers for categories one and three, and Return on Investment (ROI) including Community Benefits for category two in the Business Expansion Program requirements be amended to give bonus points was approved on Council Member Casar's motion, and accepted without objection.

The amendment was to add: "Incentives should be targeted, and additional incentives should be considered, for businesses and employers in lower-wage sectors who choose to pay their employees above the City living wage.

Incentives should be targeted, and extra incentives should be considered, for business and employers that are cooperatively owned or managed, or who have democratic forms of representation for their workforce, or who build their projects using workers that have democratic forms of representation in the workplace."

The motion to amend Category 2: Opportunity for Employment was approved on Council Member Casar's motion, Council Member Kitchen's second and accepted without objection.

The amendment was to replace: “hard to employ” with “targeted firing” was approved on Council Member Casar’s motion, and accepted without objection.

The motion to postpone to August 23, 2018 was approved on Mayor Adler’s motion and accepted without objection.

15. Approve an ordinance repealing Part 2 of Ordinance No. 20090312-005 to the extent necessary to authorize the City Manager to develop the Locational Enhancement Program for Economic Development under Chapter 380 of the Texas Local Government Code and to return to council with this program for Council review and possible approval.

The motion to postpone to August 23, 2018 was approved on Mayor Adler’s motion and accepted without objection.

113. Approve an ordinance ordering a general municipal election to be held on November 6, 2018, for the purpose of electing a Mayor (at large) and City Council Members (single member districts) for District 1, District 3, District 5, District 8, and District 9; ordering a special election to submit to the voters proposed charter amendments; ordering a special election to submit to the voters a proposed citizen-initiated ordinance, certified sufficient on April 23, 2018, regarding whether there must be both a waiting period and subsequent voter approval before any comprehensive revisions of the City’s land development laws may go into effect; ordering a special election to submit to the voters a proposed citizen-initiated ordinance, certified sufficient on August 3, 2018, relating to an efficiency study of the city’s operational and fiscal performance; ordering a special election for the purpose of authorizing the issuance of general obligation bonds; providing for the conduct of the general and special elections, including authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the elections; and declaring an emergency.

District(s) Affected: District 1, District 3, District 5, District 8, District 9.

The motion to approve the ordinance was made by Council Member Renteria and seconded by Council Member Garza.

The motion to amend the ordinance was approved on Council Member Kitchen’s motion, Council Member Renteria’s second on a 6-5 vote. Those voting aye were: Mayor Adler, Council Members Casar, Flannigan, Garza, Kitchen, and Renteria. Those voting nay were: Mayor Pro Tem Tovo, Council Members Alter, Houston, Pool and Troxclair.

The amendment was to:

Revise Part 8, Proposition J to read: “Shall a city ordinance be adopted to require both a waiting period and subsequent voter approval period, a total of up to three years, before future comprehensive revisions of the City’s land development code become effective?”

The motion to approve the substitute motion failed on Council Member Alter’s motion, Mayor Pro Tem Tovo’s second on a 5-6 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Alter, Pool and Troxclair. Those voting nay were: Mayor Adler, Council Members Casar, Flannigan, Garza, Kitchen, and Renteria. Council Member Houston was off the dais but later requested the record show her support of the item.

The amendment was to:

Revise Part 8, Proposition J to read:

“Shall a city ordinance be adopted to require a waiting period and voter approval before CodeNext or subsequent comprehensive land development revisions become effective?”

The motion to amend the amendment failed on Mayor Pro Tem Tovo’s motion, Council Member Alter’s second on a 5-6 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Alter, Houston, Pool and Troxclair. Those voting nay were: Mayor Adler, Council Members Casar, Flannigan, Garza, Kitchen, and Renteria.

The amendment was to:

Revise Part 8, Proposition J and add “CodeNext or” to read: “Shall a city ordinance be adopted to require both a waiting period and subsequent voter approval period, a total of up to three years, before CodeNext or future comprehensive revisions of the City’s land development code become effective?”

The motion to amend the ordinance was approved on Council Member Renteria’s motion, Council member Casar’s second on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Flannigan, Garza, Kitchen, Pool and Renteria. Those voting nay were: Council Members Alter, Houston, and Troxclair.

The amendment was to:

Revise Proposition K to read: “Without using the existing internal City Auditor or existing independent external auditor, shall the City Code be amended to require an efficiency study of the City’s operational and fiscal performance performed by a third-party audit consultant, at an estimated cost of \$1-\$5 million?”

The motion to approve the substitute motion failed on Council Member Troxclair’s motion, Council Member Pool’s second on a 4-7 vote. Those voting aye were: Council Members Alter, Houston, Pool and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Flannigan, Garza, Kitchen and Renteria.

The amendment was to:

Revise Proposition K to read: “Shall a city ordinance be adopted requiring a comprehensive, independent, third-party efficiency audit of all city operations and budget?”

The motion to amend the amendment failed on Council Member Troxclair’s motion, Council Member Houston’s second on a 3-7 vote. Those voting aye were: Council Members Alter, Houston and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Flannigan, Garza, Kitchen, Pool and Renteria. Council Member Pool abstained.

The amendment was to:

Add the following subsection to Part 9 to read: “If the ballot language provision of Part 9, Proposition K of this ordinance or its application to any person or circumstance is held invalid by a court, the following alternative language shall be substituted: Shall a city ordinance be adopted requiring a comprehensive, independent, third-party efficiency audit of all city operations and budget?”

The motion to amend the amendment failed on Council Member Troxclair’s motion, Council Member Houston’s second on a 2-8 vote. Those voting aye were: Council Members Houston and Troxclair. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Flannigan, Garza, Kitchen, Pool and Renteria. Council Member Alter abstained.

The amendment was to:

Add the following to the base motion read: “Add an estimated cost of \$1 to \$5 million that will potentially identify \$160 million or more in annual savings opportunities for the city”

Ordinance No. 20180809-113 was approved as amended above on Council Member Renteria’s motion, Council Member Garza’s second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Houston was off the dais.

112. Adopt a citizen-initiated ordinance, supported by a petition certified sufficient on August 3, 2018, to amend the City Code, relating to a city efficiency study of the City’s operational and fiscal performance.
This item was withdrawn.

Mayor Adler adjourned the meeting at 12:44 p.m. without objection.

The minutes were approved on this the 23rd day of August 2018 on Council Member Alter’s motion, Council Member Casar’s second on an 11-0 vote.