

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, JANUARY 31, 2019****Invocation: Rev. Chuck Freeman, Free Souls 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, January 31, 2019 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.**

**Mayor Adler called the Council Meeting to order at 10:18 a.m. Council Member Flannigan was absent.**

**CONSENT AGENDA**

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

1. Approve the minutes of the Austin City Council discussion of December 5, 2018, work session of December 11, 2018, regular meeting of December 13, 2018, and special called meeting of December 19, 2018.  
**The motion approving the minutes of the Austin City Council discussion of December 5, 2018, work session of December 11, 2018, regular meeting of December 13, 2018, and special called meeting of December 19, 2018 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
2. Approve an ordinance amending City Code Chapter 15-5 related to on-site sewage facilities.  
**Ordinance No. 20190131-002 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
3. Authorize negotiation and execution of an agreement with the U.S. Customs and Border Protection (CBP) reimbursing CBP costs for additional or expanded services at Austin-Bergstrom International Airport necessary to accommodate increased international arrival flights, in the amount of \$300,000 per year for five years for a total not to exceed amount of \$1,500,000.  
**The motion authorizing negotiation and execution of an agreement with the U.S. Customs and Border Protection (CBP) was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
4. Authorize award and execution of a construction contract with Austin Underground, Inc. (MBE), for Exposition Boulevard from West 35th Street to Enfield Road Water and Wastewater Pipeline Renewal Project in the amount of \$3,255,398 plus a \$325,539.80 contingency, for a total contract amount not to exceed \$3,580,937.80. [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 98.37% MBE and 1.61% WBE participation.] District(s) Affected: District 10.

**The motion authorizing award and execution of a construction contract with Austin Underground, Inc. was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

5. Authorize negotiation and execution of an interlocal agreement with the Texas Ethics Commission for use of a web-based electronic filing application for campaign finance reports, lobby registrations, and required financial statements.  
**The motion authorizing negotiation and execution of an interlocal agreement with the Texas Ethics Commission was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
6. Authorize negotiation and execution of a transfer agreement with the Capital Area Council of Governments (CAPCOG) transferring ownership to CAPCOG of an emergency generator serving a public safety 9-1-1 backup center.  
**The motion authorizing negotiation and execution of a transfer agreement with the Capital Area Council of Governments (CAPCOG) was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
7. Authorize negotiation and execution of a 12-month contract with Six Square to provide educational, heritage preservation, and economic development programs and services in the African American Cultural Heritage District in an amount not to exceed \$300,000, with two additional 12-month extension options in an estimated amount not to exceed \$300,000 per extension option, for a total estimated contract amount not to exceed \$900,000.  
**The motion authorizing negotiation and execution of a 12-month contract with Six Square was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
8. Approve a resolution authorizing amendments to the articles of incorporation and bylaws of the Austin/Travis County Sobriety Center Local Government Corporation.  
**Resolution No. 20190131-008 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
9. Authorize negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple approximately 2.141 acres of land known as Towery Lane from Travis County, for a total amount not to exceed \$128,000, increasing the \$38,000 previously approved by Council by \$90,000.  
**The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple approximately 2.141 acres of land known as Towery Lane from Travis County was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
10. Authorize dedication of approximately 56.932 acres of City-owned land as parkland, located along Harold Court, North of Boggy Creek, East of Lott Avenue and West of US 183, and the execution and recording of an instrument evidencing the dedication. District(s) Affected: District 1, District 3.  
**This item was postponed to March 28, 2019 on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

11. Authorize negotiation and execution of a sublease from the City of Austin to Austin Creative Reuse, a Texas nonprofit corporation, for approximately 4,758 square feet of retail space from the Austin Public Library Recycled Reads Store located at 5335 Burnet Road for a 36-month term. District(s) Affected: District 7.  
**This item was postponed to February 7, 2019 on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
12. Approve an ordinance accepting the City of Austin Parks and Recreation Department Title VI Program, enabling the Parks and Recreation Department to receive federal grant funds for the City's Senior Transportation Program.  
**Ordinance No. 20190131-012 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
13. Approve an ordinance to annex the Pilot Knob MUD No. 3, Tracts B-E and G-H, and Pilot Knob MUD No. 5 Tract F, for limited purposes (approximately 165.8 acres in eastern Travis County, approximately eight-tenths of a mile east of the intersection of McKinney Falls Parkway and Colton Bluff Springs Road; contiguous to District 2).  
**Ordinance No. 20190131-013 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
14. Approve an ordinance amending Ordinance No. 20180510-081, to correct the lot number reference in the legal description for the property described in zoning case number C14-2018-0021 and located at 12500 Lamppost Lane. District(s) Affected: District 7.  
**Ordinance No. 20190131-014 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
15. Approve an ordinance amending City Code Section 9-4-54 relating to Austin Police Department uniforms.  
**Ordinance No. 20190131-015 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
16. Approve an ordinance amending the Fiscal Year 2018-2019 Schedule of Fees, Fines, and Other Charges to be set or charged by the City (Ordinance No. 20180911-002) by eliminating the Austin Public Health Department's fee requirements for general environment/licensing inspections and food establishment permits for qualified high quality child care centers. Related to Item #17.  
**Ordinance No. 20190131-016 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
17. Approve an ordinance amending City Code Chapter 10-3 related to food enterprise permits for qualified high quality child care centers. Related to Item #16.  
**Ordinance No. 20190131-017 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
18. Authorize negotiation and execution of an interlocal agreement with University of Texas Health Science Center at Houston to provide evaluation services for the Fresh for Less Healthy Food Access Projects in the amount of \$45,000 for the initial term with four 12-month extension

options each in the amount of \$45,000, for a total contract amount not to exceed \$225,000. District(s) Affected: District 1, District 2, District 3, District 4, District 5.

**The motion authorizing negotiation and execution of an interlocal agreement with the University of Texas Health Science Center at Houston was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

19. Authorize negotiation and execution of an interlocal agreement with The University of Texas Health Science Center School of Public Health, Austin Regional Campus, for economic evaluation services for the Delivery System Reform Incentive Payment program for an initial nine-month term beginning February 1, 2019 and three automatic 12-month renewal options for a total amount not to exceed \$193,000.

**The motion authorizing negotiation and execution of an interlocal agreement with The University of Texas Health Science Center School of Public Health, Austin Regional Campus was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

20. Authorize negotiation and execution of agreements for HIV social services each for an initial 42-month term, with two optional 12-month extensions with: AIDS Services of Austin in an amount not to exceed \$1,105,881 for the initial term and \$315,966 for each extension option, for a total agreement amount not to exceed \$1,737,813; Austin Travis County Mental Health Mental Retardation Center dba Integral Care in an amount not to exceed \$497,000 for the initial term and \$142,000 for each extension option, for a total agreement amount not to exceed \$781,000; Project Transitions, Inc. in an amount not to exceed \$427,791 for the initial term and \$122,226 for each extension option, for a total agreement amount not to exceed \$672,243; and The Wright House Wellness Center dba ASHWell in an amount not to exceed \$175,000 for the initial term and \$50,000 for each extension option, for a total agreement amount not to exceed \$275,000.

**The motion authorizing negotiation and execution of agreements was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

21. Approve a resolution that adopts a newly updated list of projects approved for Quarter Cent funding.

**Resolution No. 20190131-021 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

**Direction was given to staff to ensure the name for O. Henry Middle School is correct on all documents and attachments.**

**Item 22 was pulled for discussion.**

23. Authorize award of a multi-term contract to Firetron, Inc., to provide preventative maintenance, monitoring, testing, and repair services for a Notifier fire panel, for up to five years for a total contract amount not to exceed \$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 authorizing award of a multi-term contract to Firetron, Inc. was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

24. Authorize award of a multi-term contract to Austin Mobile Locksmith, LLC, to provide locksmith services, for up to five years for a total contract amount not to exceed \$890,000. (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 an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established).

**The motion authorizing award of a multi-term contract to Austin Mobile Locksmith, LLC was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

25. Authorize negotiation and execution of three multi-term contracts with Austin Arborist Company D/B/A Austin Tree Experts, Clean Scapes L.P., and Unity Contractor Services, Inc. (MBE), to provide tree and brush maintenance services, each for up to five years, for total contract amounts not to exceed \$12,250,000 divided among the contractors. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established).

**The motion authorizing negotiation and execution of three multi-term contracts with Austin Arborist Company doing business as Austin Tree Experts, Clean Scapes L.P., and Unity Contractor Services, Inc. (MBE), was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

26. Authorize negotiation and execution of an additional cooperative contract with Evenflo Company Inc., for infant and toddler car seats, in an amount not to exceed \$75,000, for total aggregate contract amounts for this fiscal year not to exceed \$125,000. (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 an additional cooperative contract with Evenflo Company Inc. was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

27. Authorize negotiation and execution of a contract with Siemens Postal, Parcel & Airport Logistics, LLC, for baggage handling system parts and maintenance training, for a term of five years in an amount not to exceed \$665,000. (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 Siemens Postal, Parcel & Airport Logistics, LLC was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

**Item 28 was pulled for discussion.**

29. Authorize negotiation and execution of a contract with Meadows Mental Health Policy Institute for Texas, for consulting services on first response to mental health incidents, in an amount not to exceed \$75,000. (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 solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**The motion authorizing negotiation and execution of a contract with Meadows Mental Health Policy Institute for Texas was approved on consent on Council Member Kitchen's**

motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.

Items 30 through 32 were pulled for discussion.

33. Approve an ordinance authorizing the reimbursement of \$10,872 plus interest, paid to the City under City Code Section 25-8-214 (Optional Payment Instead of Structural Controls in Urban Watersheds), for the Manor Condominiums located at 2827 Manor Road.  
**Ordinance No. 20190131-033 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

Item 34 was pulled for discussion.

35. 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 and certain related waivers were approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

#### Removal of Board Members

Planning Commission  
 Tracy Witte

Council Member Harper-Madison

#### Nominations

##### Board/Nominee

##### Nominated by

Austin Travis County Food Policy Board (Filling vacancy and reappointment March 1st)  
 Emily D Nicola

Mayor Adler

Early Childhood Council  
 Matthew Worthington

Mayor Pro Tem Garza

Early Childhood Council  
 Johanna A Hosking-Pulido

Mayor Adler

MBE/WBE Small Business Enterprise Procurement Advisory Committee  
 Denise Hernandez

Mayor Pro Tem Garza

Mexican American Cultural Center Advisory Board\*  
 Thomas Salas

Council Member Renteria

Parks and Recreation Board\*  
 Kate Mason-Murphy

Council Member Renteria

Joint Sustainability Committee\*  
 Alberta Phillips

Health and Human Service Committee

Urban Renewal Board  
 Jacqueline L Watson

Mayor Adler

## Reappointments

<b>African American Resource Advisory Commission*</b> <b>Clifford Gillard</b>	<b>Council Member Renteria</b>
<b>Airport Advisory Commission*</b> <b>Eugene Sepulveda</b>	<b>Council Member Renteria</b>
<b>Animal Advisory Commission*</b> <b>Isabel Mier</b>	<b>Council Member Renteria</b>
<b>Arts Commission*</b> <b>Felipe Garza</b>	<b>Council Member Renteria</b>
<b>Asian American Quality of Life Advisory Commission*</b> <b>Catherina Conte (Stakeholder)</b>	<b>Asian American QOL Advisory Commission</b>
<b>Asian American Quality of Life Advisory Commission*</b> <b>Sethi Pooja (Stakeholder)</b>	<b>Asian American QOL Advisory Commission</b>
<b>Asian American Quality of Life Advisory Commission*</b> <b>Sarah Chen (Stakeholder)</b>	<b>Asian American QOL Advisory Commission</b>
<b>Asian American Quality of Life Advisory Commission*</b> <b>Pramod Patil (Stakeholder)</b>	<b>Asian American QOL Advisory Commission</b>
<b>Bond Oversight Commission*</b> <b>Santiago Rodriguez</b>	<b>Council Member Renteria</b>
<b>Building and Standards Commission*</b> <b>Wordy Thompson</b>	<b>Council Member Renteria</b>
<b>Building and Standards Commission*</b> <b>Timothy Stostad</b>	<b>Council Member Pool</b>
<b>Commission on Immigrant Affairs*</b> <b>Krystal Gomez</b>	<b>Council Member Renteria</b>
<b>Commission on Veterans Affairs*</b> <b>Manuel Jimenez</b>	<b>Council Member Renteria</b>
<b>Community Development Commission*</b> <b>Amit Motwani</b>	<b>Council Member Renteria</b>
<b>Community Technology and Telecommunications Commission*</b> <b>Malcolm Yeatts</b>	<b>Council Member Renteria</b>
<b>Construction Advisory Commission*</b> <b>Bob Batlan</b>	<b>Council Member Renteria</b>
<b>Design Commission*</b> <b>Samuel Franco</b>	<b>Council Member Renteria</b>
<b>Early Childhood Council*</b>	

**REGULAR COUNCIL MINUTES****THURSDAY, JANUARY 31, 2019**

<b>Raul Alvarez</b>	<b>Council Member Renteria</b>
<b>Electric Board*</b> <b>Delwin Goss</b>	<b>Council Member Renteria</b>
<b>Electric Utility Commission*</b> <b>Stefan Wray</b>	<b>Council Member Renteria</b>
<b>Environmental Commission*</b> <b>Pamela Thompson</b>	<b>Council Member Renteria</b>
<b>Ethics Review Commission*</b> <b>Donna Beth McCormick</b>	<b>Council Member Renteria</b>
<b>Historic Landmark Commission*</b> <b>Kevin Koch</b>	<b>Council Member Renteria</b>
<b>Lesbian, Gay, Bisexual, Transgender, and Queer Quality of Life Advisory Commission*</b> <b>Dr. Victor Martinez</b>	<b>Council Member Renteria</b>
<b>Lesbian, Gay, Bisexual, Transgender, and Queer Quality of Life Advisory Commission*</b> <b>Charles Curry (Stakeholder)</b>	<b>LGTBQ Quality of Life Commission</b>
<b>Lesbian, Gay, Bisexual, Transgender, and Queer Quality of Life Advisory Commission*</b> <b>Kathryn Gonzales (Stakeholder)</b>	<b>LGTBQ Quality of Life Commission</b>
<b>Lesbian, Gay, Bisexual, Transgender, and Queer Quality of Life Advisory Commission*</b> <b>Melissa Taylor (Stakeholder)</b>	<b>LGTBQ Quality of Life Commission</b>
<b>Lesbian, Gay, Bisexual, Transgender, and Queer Quality of Life Advisory Commission*</b> <b>Tarik Daniels (Stakeholder)</b>	<b>LGTBQ Quality of Life Commission</b>
<b>Mayor's Committee for People with Disabilities*</b> <b>Jonathan Franks</b>	<b>Council Member Renteria</b>
<b>MBE/WBE Small Business Enterprise Procurement Program Advisory Committee*</b> <b>Eliza May</b>	<b>Council Member Renteria</b>
<b>Mexican American Cultural Center Advisory Board*</b> <b>Thomas Sala</b>	<b>Council Member Renteria</b>
<b>Parks and Recreation Board*</b> <b>Kate Mason-Murphy</b>	<b>Council Member Renteria</b>
<b>Robert Mueller Municipal Airport Plan Implementation Advisory Commission*</b> <b>Carol Drennan</b>	<b>Council Member Renteria</b>
<b>South Central Waterfront Advisory Board*</b> <b>James Schissler</b>	<b>Planning Commission</b>
<b>Tourism Commission*</b> <b>Edward Bailey</b>	<b>Council Member Renteria</b>



**Urban Transportation Commission\***  
**Samuel Franco**

**Council Member Renteria**

**Water and Wastewater Commission\***  
**Travis Michel**

**Council Member Renteria**

**Zero Waste Advisory Commission\***  
**Jonathan Barona**

**Council Member Renteria**

**All Nominations noted with a \* will be effective March 1, 2019**

**Intergovernmental Bodies**

**Capital Area Council of Government**  
**Jimmy Flannigan**

**Mayor Adler**

**Housing Authority of the City of Austin (Reappointment)**  
**Edwina Carrington**

**Mayor Adler**

**Housing Authority of the City of Austin (Reappointment)**  
**Tyra Duncan-Hall**

**Mayor Adler**

**Waiver**

**Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Samuel Franco. The waiver allows simultaneous service on the Design Commission and Urban Transportation Commission.**

36. Approve a resolution supporting legislative reforms that increase safety for collectors of solid waste and recyclables. Council Sponsors: Mayor Steve Adler, Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Gregorio Casar.  
**Resolution No. 20190131-036 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
37. Approve a resolution to initiate code amendments to Chapter 25-10 (Sign Regulations) to provide limited allowances for off-premise signage at schools and transit facilities in public right-of-way. Council Sponsors: Council Member Ann Kitchen, Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Kathie Tovo, Council Member Sabino 'Pio' Renteria.  
**Resolution No. 20190131-037 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

**Item 38 was pulled for discussion.**

39. Approve a resolution initiating amendments to the North Burnet/Gateway Regulating Plan relating to alternative equivalent compliance with front and street side upper-story building façade setback development standards. Council Sponsors: Council Member Leslie Pool, Council Member Alison Alter, Council Member Natasha Harper-Madison, Council Member Jimmy Flannigan, Council Member Gregorio Casar.  
**Resolution No. 20190131-039 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

40. Approve a resolution initiating site specific amendments to the Land Development Code, including Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative), as minimally required to address proposed redevelopment of 5811 Southwest Parkway, located within the Barton Springs Zone, while maximizing environmental protection. Council Sponsors: Council Member Ann Kitchen, Council Member Leslie Pool, Mayor Steve Adler, Council Member Paige Ellis.  
**Resolution No. 20190131-040 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
41. Approve the waiver or reimbursement of certain fees for the Procession El Día de la Virgen de Guadalupe, sponsored by Matachunes Guadalupanes, held on December 12, 2018, at the Dolores Catholic Church. Council Sponsors: Council Member Sabino 'Pio' Renteria, Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Gregorio Casar.  
**The motion approving the waiver or reimbursement of certain fees for the Procession El Día de la Virgen de Guadalupe was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
42. Approve the waiver or reimbursement of certain fees for the Mervin Griffin Repass Dinner Reception, sponsored by the family of Mervin Griffin, held on December 28, 2018, at the Delores Duffie Recreation Center. Council Sponsors: Council Member Gregorio Casar, Mayor Steve Adler, Council Member Kathie Tovo, Council Member Natasha Harper-Madison.  
**The motion approving the waiver or reimbursement of certain fees for the Mervin Griffin Repass Dinner Reception was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
43. Set a public hearing to receive citizen input on community needs and priorities concerning housing, community development, economic development, and public services to inform the City's five-year Consolidated Plan for fiscal years 2019 through 2023 and the City's fiscal year 2019-20 Annual Action Plan. (Suggested date: February 7, 2019, at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set on consent for February 7, 2019 at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
44. Set a public hearing to consider an ordinance amending City Code Chapter 25-2 (Zoning) to modify the definition of Administrative Services and add Administrative Services as a permitted use in the Downtown Mixed Use (DMU) and Central Business District (CBD) zoning districts. (Suggested date and time: February 7, 2019, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set on consent for February 7, 2019, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
- Item 77 was pulled for discussion.**
78. Approve a resolution relating to a pilot project to provide immediate shelter and support services for those experiencing homelessness. Council Sponsors: Council Member Ann Kitchen, Council Member Gregorio Casar, Mayor Steve Adler, Council Member Leslie Pool, Council Member Sabin0 "Pio" Renteria.

**Resolution No. 20190131-078 was approved on consent on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

### **DISCUSSION ITEMS**

22. Authorize amendments to the existing contracts with Champion National Security, Inc., Securitas Security Services USA Inc., and Whelan Security Co., for continued security guard services, for an increase in the amount of \$12,492,937, and to extend the term for up to three years, for revised contract amounts not to exceed \$20,900,000 divided among the contractors. (Note: These contracts were 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 these contracts, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established).

**The motion authorizing amendments to the existing contracts with Champion National Security, Inc., Securitas Security Services USA Inc., and Whelan Security Co. was approved as amended below on Council Member Tovo's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Flannigan was absent.**

**The amendment was to make the following modification:**

**"The initial term of the contract shall be 12 months, in an amount not to exceed \$4,183,979."**

28. Authorize negotiation and execution of a multi-term contract with Front Steps Inc., to provide shelter operations and services for the Austin Resource Center for the Homeless, for up to five years for a total contract amount not to exceed \$13,500,000. (Note: Social Service contracts are exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

**The motion authorizing negotiation and execution of a multi-term contract with Front Steps Inc. was approved as amended below on Council Member Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

**The amendment was to make the following modifications:**

**"The initial term of the contract shall be 18 months, in an amount not to exceed 4.5 million, with three additional 12-month extensions to be voted on by Council, payment of the City's living wage for all employees working on the contract must be a required term of the contract and the recommended vendor is required to participate with the shelter standards advisory council, or similar body, if and when such a group is constituted."**

**Direction was given to staff to solicit feedback from shelter and social service providers to better understand why the city receives so few responses to this solicitation.**

38. Approve a resolution affirming the City Council's support of AISD and directing the City Manager to prioritize collaborative planning with an emphasis on opportunities to achieve community benefits on publicly owned land. Council Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Council Member Alison Alter, Council Member Sabino 'Pio' Renteria, Council Member Gregorio Casar.

**Resolution No. 20190131-038 was approved on Council Member Tovo's motion, Council Member Casar's second on a 10-0 vote. Council Member Flannigan was absent.**

45. Approve a resolution relating to establishing a the Board of Directors, adopting the Final Project and Financing Plan, and increasing the tax increment for Homestead Preservation Reinvestment Zone #1. Council Sponsors: Housing and Planning Committee.

**Resolution No. 20190131-045 was approved on Council Member Renteria's motion, Council Member Casar's second on a 10-0 vote. Council Member Flannigan was absent.**

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

**Mayor Adler recessed the Council Meeting to go into Executive Session at 11:07 a.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.**

47. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn.**
48. Discuss real estate and legal matters related to the purchase, exchange, lease, or value of real property locally known as the Lions Municipal Golf Course, generally located at the intersection of Lake Austin Boulevard and Exposition Boulevard (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.**
49. Discuss legal issues related to Paxton v. City of Austin et al., Cause No. D-1-GN-003340 in the 53rd Judicial District of Travis County, Austin, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn.**
79. 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).  
**Conducted**

**Executive Session ended and Mayor Adler called the Council Meeting back to order at 12:08 p.m.**

#### **CITIZENS COMMUNICATIONS: GENERAL**

Melissa Little – Animal Services

Kelsea Barlow – Animal Services

Adette Quintana – Resignation of the director of the Austin Animal Center

Nicole Clark – Animal Services

Michael Fossum – Crime – **Not Present**

Jane Rubenstein – The mismanagement of funds at the dog shelter.

Pat Valls-Trelles – Spray/Neuter

Ted Gault – Graffiti Abatement

Joanne Molinyawe – Animal Services

Ofelia Zapata – Cap Metro bus service changes to Eastside Memorial Early College High School

**Mayor Adler recessed the Council Meeting at 12:34 p.m.**

**Mayor Adler called the Council Meeting back to order at 2:07 p.m.**

**ZONING AND NEIGHBORHOOD PLAN AMENDMENTS**

50. C14-01-0046.03 - Helping Hand Home for Children -Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 310 and 312 W. 38th Street and 3803, 3805 and 3807 Avenue B (Waller Creek Watershed). Applicant Request: To rezone from family residence - neighborhood conservation - neighborhood plan (SF-3-NCCD-NP) combining district zoning and multi-family - moderate density - neighborhood conservation - neighborhood plan (MF-4-NCCD-NP) combining district zoning to multi-family - moderate density - neighborhood conservation - neighborhood plan (MF-4-NCCD-NP) combining district zoning. First reading approved on December 13, 2018. Vote 9-0. Mayor Adler and Council Member Renteria absent. Owner/Applicant: Helping Hand Home for Children, Inc. Agent: Armbrust and Brown, PLLC (Jewels Cain). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 9.  
**Ordinance No. 20190131-050 for multi-family - moderate density - neighborhood conservation - neighborhood plan (MF-4-NCCD-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
51. C14-2018-0062 - University of Texas Law School Foundation - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2902 Medical Arts Street and 2901 Hampton Road (Waller Creek Watershed). Applicant Request: To rezone from neighborhood commercial - mixed use - conditional overlay - neighborhood plan (LR-MU-CO-NP) combining district zoning to community commercial - mixed use - conditional overlay - neighborhood plan (GR-MU-CO-NP) combining district zoning. First reading approved on December 13, 2018. Vote 6-4. Council Members Alter, Houston, Pool, and Tovo voted nay. Council Member Renteria absent. Owner/Applicant University of Texas Law School Foundation (Susan Hartenstein). Agent: Jackson Walker L.L.P. (Katherine Loayza). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 9.  
**Ordinance No. 20190131-051 for community commercial - mixed use - conditional overlay - neighborhood plan (GR-MU-CO-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
52. C14-2018-0102 -Pioneer Hill MF-1 Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2100, 2102, 2104, 2106, 2108, 2110, 2200, 2202, 2204, 2206, 2208 and 2210 Arborside Drive, and 10611 Tildon Avenue (Walnut Creek Watershed) from multifamily residence-limited density (MF-1) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed February 5, 2019. Owner/Applicant: Continental Homes of Texas LP. Agent: Pape-Dawson Engineers (Terry S. Reynolds). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.  
**This item was postponed to March 7, 2019 at the request of staff on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

53. NPA-2017-0016.03 - 3232 & 3306 East Cesar Chavez Street - 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 East Cesar Chavez Street (Colorado River Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on January 22, 2019. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.  
**This item was postponed to February 21, 2019 at the request of staff on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
54. C14-2017-0138 -3232 and 3306 East Cesar Chavez Rezoning- 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: Pending. Planning Commission Recommendation: To be reviewed on January 22, 2019. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Heather Chaffin, 512 974-2122. District(s) Affected: District 3.  
**This item was postponed to February 21, 2019 at the request of staff on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
55. C14-2017-0066 - Braker Lane Rezoning Part A - 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) 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: To grant single family residence small lot (SF-4A) district zoning and community commercial (GR) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant single family residence small lot (SF-4A) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning, with conditions. Owner/Applicant: Richard Raymond Peterson and Carol Ann Peterson Starr. Agent: Carlson, Brigance & Doering, Inc. (Charles Brigance). 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 for single family residence small lot (SF-4A) district zoning and community commercial-conditional overlay (GR-CO) district zoning, with conditions was approved as amended below on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
56. C14-2017-0100 -Braker Lane Rezoning Part B -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) 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: To grant single family residence small lot (SF-4A) district zoning and community commercial (GR) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant single

family residence small lot (SF-4A) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning, with conditions. 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 public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for single family residence small lot (SF-4A) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning with conditions was approved as amended below on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

57. C14-2018-0117 - Loyola Lofts - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6420 Loyola Lane (Walnut Creek Watershed) from neighborhood commercial (LR) district zoning and family residence (SF-3) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner/Applicant: Horizon Worship Center of Austin (Billy Hines) Agent: Land Use Solutions LLC (Michele Haussmann). 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 Ordinance No. 20190131-057 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

58. C14-2018-0125 - 8534 South Congress Zoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8534 South Congress Avenue (Onion Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to general commercial services (CS) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS) combining district zoning. Owner/Applicant: James and Suzanne Bell; Lilla Sullivan. Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190131-058 for general commercial services-conditional overlay (CS) district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

59. C14-2018-0004 Braker Office/Condo Park -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: To grant general office-mixed use (GO-MU) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning, with conditions. 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 public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning, with conditions was approved as amended below on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

60. C14-2018-0116 - 13609 IH 35 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 13609 North Interstate Highway-35 (Walnut Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: CSW 13609 I35, LLC. Agent: The 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. 20190131-060 for general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
61. C14-2018-0090 Denizen Two - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1001 Cumberland Road (West Bouldin Creek Watershed) from townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning, to change a condition of zoning. Staff Recommendation and Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner: Salvation Army (Andrew Kelley). Applicant: MOMARK Development (Terry Mitchell) Agent: Alice Glasco Consulting (Alice Glasco). 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. 20190131-061 amended below for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**  
  
**The amendment was to include an additional conditional overlay to limit the property to 17 units.**
62. C14H-2018-0103 - Philip D. Creer House- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning the property locally known as 1605 Gaston Avenue from family residence-neighborhood plan (SF-3-NP) combining district to family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: To be reviewed January 22, 2019. Applicant: Nicole Kessler, owner. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454. District(s) Affected: District 9.  
**The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
63. C814-2012-0152.02 - Pilot Knob PUD-2nd Amendment - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 7612, 7725, 7901, and 8100-½ Colton Bluff Springs Road; 7600, 7604, 7608, 7612, 7700, 7704, and 7708 Hillock Terrace; 8321 Thaxton Road; 8100 Sassman Road (Cottonmouth Creek Watershed; Marble Creek Watershed; North Fork Dry Creek Watershed; South Fork Dry Creek Watershed)



from unzoned (UNZ) to planned unit development (PUD) district zoning, to add seven tracts of land. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. Staff Recommendation and Planning Commission Recommendation: To grant planned unit development (PUD) district zoning. Applicant: Carma Easton, LLC.; Taylor Morrison of Texas, Inc.; Pacesetter Homes, LLC; CND-Easton Park, LLC. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190131-063 for planned unit development (PUD) district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

64. C14-2018-0106 - JBR Zoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 9301 South IH 35 Service Road Northbound (Onion Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning, as amended. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner/Applicant: Holt Cat (Corinna Richter). Agent: Kimley-Horn & Associates (Luke Caraway). 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. 20190131-064 for community commercial-conditional overlay (GR-CO) combining district zoning, was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

65. C14-2018-0098 -Howard Lane Residential - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 1208 East Howard Lane (Harris Branch Watershed). Applicant Request: To zone from interim-rural residence (I-RR) district zoning to single-family residence-standard lot (SF-2) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: to grant single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Owner/Applicant: Continental Homes of Texas, L.P. for Ruth May Mullenex, et al. Agent: McLean & Howard, LLP (Jeffrey Howard). 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. 20190131-065 for single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

66. NPA-2018-0024.01- Metric and 183 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20071101-050, the North Burnet/Gateway 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 8965 Research Blvd. NB, 9000 Metric Blvd., and 9100 Research Blvd (Little Walnut Creek Watershed) from Industry to Higher Density Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant High Density Mixed Use land use. Owner/Applicant: Goodwill Industries of Central Texas (Mark Hiemstra) Agent: Drenner Group (Amanda Swor). City Staff: Maureen Meredith (512) 974-2695. District(s) Affected: District 4.

**This item was postponed to February 7, 2019 at the request of the applicant on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

67. C14-2018-0001 - Metric and 183 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8965 Research Boulevard Northbound,

9000 Metric Boulevard, 9100 Metric Boulevard (Little Walnut Creek Watershed). Applicant Request: To rezone from north burnet/gateway-commercial industrial-neighborhood plan combining (NBG-CI-NP) district zoning to north burnet/gateway-commercial mixed use-neighborhood plan combining (NBG-CMU-NP) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant north burnet/gateway-commercial mixed use-neighborhood plan combining (NBG-CMU-NP) district zoning, with conditions. Owner/Applicant: Goodwill Industries of Central Texas (Mark Hiemstra). Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 4.

**This item was postponed to February 7, 2019 at the request of the applicant on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

68. NPA-2016-0005.04 - 500 Montopolis Drive -Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, 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 Watershed) from Single Family to Mixed Use land use. Staff Recommendation: To grant Neighborhood Mixed Use land use. Planning Commission Recommendation: To deny the 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.

**This item was postponed indefinitely at the request of staff on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

69. C14H-2017-0055 -500 Montopolis - 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). 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.

**This item was postponed indefinitely at the request of staff on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

70. C14-2018-0099 -Howard Lane Commercial - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 1208 East Howard Lane (Harris Branch Watershed). Applicant Request: To zone from interim-rural residence (I-RR) district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: Not applicable. Zoning and Platting Commission Recommendation: Item withdrawn by Applicant. Owner/Applicant: Continental Homes of Texas, L.P. for Ruth May Mullenex, et al. Agent: McLean & Howard, LLP (Jeffrey Howard). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.

**This item was withdrawn.**

71. C14-2018-0132 - 1200 West Howard Lane - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1200 West Howard Lane (Walnut Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay (CS-CO) combining district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Owner/Applicant: C & T Shops on Howard Lane, Ltd (Jeffrey Kissel). Agent: Land Answers, Inc. (Jim Wittliff). 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. 20190131-071 for commercial-liquor sales (CS-1) district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
72. C14-2018-0115 - Sigma Chi Fraternity - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2701 Nueces Street (Waller Creek Watershed). Applicant Request: To rezone from multifamily residence - moderate-high density - conditional overlay - neighborhood plan (MF-4-CO-NP) combining district zoning to multifamily residence - highest density - conditional overlay - neighborhood plan (MF-6-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence - highest density - neighborhood plan (MF-6-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on January 22, 2019. Owner/Applicant: Alpha Nu Chapter of Sigma Chi (Linden Welsch). Thrower Design (Victoria Haase). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 9.  
**This item was postponed to February 21, 2019 at the request of staff on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
73. C14-2018-0119 - 3005 E State Hwy 71 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 3005 East State Highway 71 Westbound (Colorado River Watershed). Applicant's Request: To zone from interim-single family residence-standard lot (I-SF-2) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Owner/Applicant: Dimension Properties, Inc. (Michael J. Kuhn; Mark J. Salmanson). Agent: Lenworth Consulting (Nash Gonzales). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190131-073 for general commercial services-conditional overlay (CS-CO) combining district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**
74. C14-2018-0127 - IH 35 Apartments - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12001 South IH 35 Service Road Northbound (Onion Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning to multi-family residence-moderate-high density (MF-4) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning. Owner/Applicant: South IH 35 Investors, LP (C.W. Hetherly, Jr.). Agent: Alice Glasco Consulting (Alice Glasco). 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. 20190131-074 for multi-family residence-moderate-high density (MF-4)**

**district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

**Council suggested that when it becomes appropriate to have discussions about storm water detention to include neighbors in the discussion.**

75. NPA-2018-0016.03 -1103 Cherico Street -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 1103 Cherico Street (Boggy Creek Watershed) from Single Family to Higher Density Single Family land use. Staff recommendation: To Higher Density Single Family land use. Planning Commission recommendation: To be reviewed on January 22, 2019. Owner/Applicant: Austin Land Development, LLC. Agent: Permit Partners, LLC (David Cancialosi). City Staff: Maureen Meredith (512) 974-2695. District(s) Affected: District 3.

**This item was postponed to March 28, 2019 at the request of staff on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

76. C14-2018-0093 -1103 Cherico Street- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1103 Cherico Street (Boggy Creek Watershed) from family residence-neighborhood plat (SF-3-NP) combining district zoning to urban family residence-neighborhood plan (SF-5-NP) combining district zoning. Staff Recommendation: To grant urban family residence-neighborhood plan (SF-5-NP) combining district zoning. Planning Commission Recommendation: To be reviewed January 22, 2019. Owner/Applicant: Austin Land Development, LLC. Agent: Permit Partners, LLC (David Cancialosi). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 3.

**This item was postponed to March 28, 2019 at the request of staff on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Flannigan was absent.**

**Mayor Adler recessed the meeting at 2:18 p.m.**

**Mayor Adler called the Council Meeting back to order at 3:51 p.m.**

#### **DISCUSSION ITEMS CONTINUED**

30. Approve a resolution authorizing negotiation and execution of two 'Agreements to Contribute Right of Way Funds' with the Texas Department of Transportation in a total amount not to exceed \$3,301,401 for the Oak Hill Parkway project. Related to items #31 and #32. District(s) Affected: District 8.

**Resolution No. 20190131-030 was approved on Council Member Renteria's motion, Council Member Ellis's second on an 8-2 vote. Those voting aye were Mayor Adler, Mayor Pro Tem Garza, Council Members Alter, Ellis, Harper-Madison, Kitchen, Renteria and Tovo. Those voting nay were Council Members Casar and Pool. Council Member Flannigan was absent.**

**Direction was given to staff to provide sufficient transit service, engage with Cap Metro through our transit working group to help TXDOT minimize delays to transit during construction, make sure that Cap Metro has updated construction phasing information, make sure signals are timed to help transit movements, work with Cap Metro to find park and ride opportunities and to work with Council Member Ellis and Representative Goodwin.**

31. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of general obligation bonds to be issued for transportation and mobility-related expenditures in an amount not to exceed \$3,305,000. Related to Items #30 and #32.

**Resolution No. 20190131-031 was approved on Council Member Renteria's motion, Council Member Ellis's second on an 8-2 vote. Those voting aye were Mayor Adler, Mayor Pro Tem Garza, Council Members Alter, Ellis, Harper-Madison, Kitchen, Renteria and Tovo. Those voting nay were Council Members Casar and Pool. Council Member Flannigan was absent.**

**Direction was given to staff to provide sufficient transit service, engage with Cap Metro through our transit working group to help TXDOT minimize delays to transit during construction, make sure that Cap Metro has updated construction phasing information, make sure signals are timed to help transit movements, work with Cap Metro to find park and ride opportunities and to work with Council Member Ellis and Representative Goodwin.**

32. Approve an ordinance amending the Fiscal Year 2018-2019 Austin Transportation Department Capital Budget (Ordinance No. 20180911-001) to increase appropriations from the 2016 Mobility General Obligation Bonds in an amount not to exceed \$3,305,000 for improvements to the corridor on which the Regional Mobility project for Old Bee Cave Road Bridge is located, namely increasing the lanes of controlled access highways and frontage road on US 290 from west of RM 1826 to SL 1 and on SH 71 from US 290 West to Silvermine Drive (Oak Hill Parkway project). Related to Items #30 and #31.

**Ordinance No. 20190131-032 was approved on Council Member Renteria's motion, Council Member Ellis's second on an 8-2 vote. Those voting aye were Mayor Adler, Mayor Pro Tem Garza, Council Members Alter, Ellis, Harper-Madison, Kitchen, Renteria and Tovo. Those voting nay were Council Members Casar and Pool. Council Member Flannigan was absent.**

**Direction was given to staff to provide sufficient transit service, engage with Cap Metro through our transit working group to help TXDOT minimize delays to transit during construction, make sure that Cap Metro has updated construction phasing information, make sure signals are timed to help transit movements, work with Cap Metro to find park and ride opportunities and to work with Council Member Ellis and Representative Goodwin.**

34. Authorize negotiation and execution of an agreement with the Texas Department of Transportation to collaborate on stormwater management and environmental protection for state highway projects within the city limits or extraterritorial jurisdiction.

**The motion authorizing negotiation and execution of an agreement with the Texas Department of Transportation was approved on Council Member Renteria's motion, Council Member Ellis's second on an 8-2 vote. Those voting aye were Mayor Adler, Mayor Pro Tem Garza, Council Members Alter, Ellis, Harper-Madison, Kitchen, Renteria and Tovo. Those voting nay were Council Members Casar and Pool. Council Member Flannigan was absent.**

**Direction was given to staff to provide sufficient transit service, engage with Cap Metro through our transit working group to help TXDOT minimize delays to transit during construction, make sure that Cap Metro has updated construction phasing information, make sure signals are timed to help transit movements, work with Cap Metro to find park and ride opportunities for Southwest Austin and to work with Council Member Ellis and Representative Goodwin.**

**Direction was given to staff to continue to negotiate with TXDOT and other regional transportation bodies such as the Capital Area Metropolitan Planning Organization or**

**CAMPO, along with environmental or community stakeholders, on the design issues that have been raised by the community.**

**Mayor Adler recessed the meeting at 5:34 p.m. for Live Music and Proclamations.**

### **LIVE MUSIC**

Scott Collins

### **PROCLAMATIONS**

Certificates of Recognition – Creative Ambassadors Program – To be presented by Mayor Steve Adler and to be accepted by recipients of the Creative Ambassadors Award.

Proclamation - West Campus [Re]Move and [Re]Use program – To be presented by Council Member Kathie Tovo and to be accepted by Sam Angoori, Director, Austin Resource Recovery.

Proclamation - Our Austin Story Day – To be presented by Mayor Steve Adler and Council Members Leslie Pool and Kathie Tovo and to be accepted by Ted Eubanks and the Downtown Austin Alliance.

**Mayor Adler called the Council Meeting back to order at 6:38 p.m.**

### **DISCUSSION ITEMS CONTINUED**

77. Approve a resolution directing the City Manager to retain a qualified third-party that will comprehensively evaluate the Austin Police Department's processing and investigation of reported sexual assaults and that will provide a written report detailing its findings and recommendations. Council Sponsors: Council Member Alison Alter, Mayor Steve Adler, Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, Council Member Ann Kitchen.  
**Resolution No. 20190131-077 was approved as amended below on Council Member Alter's motion, Council Member Casar's second on a 10-0 vote. Council Member Flannigan was absent.**

**The amendment was to add a new fourth Whereas clause to read:**

**"Whereas, for the purposes of this resolution, "sexual assault" is defined by the Texas Penal Code Sec. 22.011; and"**

**To revise the sixth Whereas clause to read:**

**"Whereas, sexual assault victims must live with the emotional and medical consequences of their assault, which are often chronic and severe; lifetime prevalence of post-traumatic stress disorder (PTSD) in women who are sexually assaulted is estimated to be 50%, and high risk health behaviors, including substance abuse, chronic health conditions, and mental illness all appear at significantly higher rates among women who experienced sexual assault when compared to women who have not;"**

**To revise the ninth Whereas clause to read:**

**"Whereas, Newsy, the Center for Investigative..."**

**To revise the tenth Whereas clause to read:**

**"Whereas, Newsy, the Center for Investigative..."**

**To revise the first Be It Resolved clause to revise section 4 to read:**

**"Whether and how the APD..."**

**To revise the first Be It Resolved clause to revise section 7 to read:  
“Whether and how the APD...”**

**To revise the first Be It Resolved clause to revise section 9 to read:  
“The appropriateness of current staffing, resources and training...”**

**To revise the third Be It Further Resolved clause to read:  
“A written report shall be completed by the selected third-party entity. An update on the progress of the evaluation shall be returned to Council within six months of the adoption of this resolution. The update shall include a timeline for full completion. Should the third-party entity determine actionable recommendations in advance of the evaluation completion date, the entity shall report those recommendations to the City Manager for consideration. The City Manager may implement these recommendations on an ongoing basis. The City Manager shall provide updates to Council on whether and how recommendations from the evaluator will be implemented, in advance of implementation.”**

**Mayor Adler adjourned the meeting at 7:45 p.m. without objection.**

**The minutes were approved on this the 7th day of February 2019 on Council Member Tovo’s motion, Council Member Pool’s second on a 11-0 vote.**