

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, FEBRUARY 7, 2019****Invocation: Monsignor Donald Sawyer, Our Lady's Maronite Catholic 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, February 7, 2019 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:20 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council regular meeting of January 7, 2019, work session of January 29, 2019 and regular meeting of January 31, 2019.

The motion approving the minutes of the Austin City Council regular meeting of January 7, 2019, work session of January 29, 2019 and regular meeting of January 31, 2019 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

2. Approve an ordinance ratifying and confirming Ordinance No. 20180823-073 pertaining to the 2018 Service and Assessment Plan and the Assessment Roll for the Whisper Valley Public Improvement District. District(s) Affected: District 1.

Ordinance No. 20190207-002 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

Item 3 was pulled for discussion.

4. Approve a resolution related to an application by FC Burleson Housing, LP, or an affiliated entity, for competitive 9% housing tax credits for a new construction rental housing development to be known as Burleson Apartments, located at or near 3507 Burleson Road; and related to the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 3.

This item was withdrawn.

5. Approve a resolution related to an application by City View at Hyde Park, L.P., or an affiliated entity, for competitive 9% housing tax credits for a new construction rental housing development to be known as City View at Hyde Park, located at or near 1000 East 46th Street, in District 9; and related to the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 9.

Resolution No. 20190207-005 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

6. Approve a resolution related to an application by FC N Lamar Housing, LP, or an affiliated entity, for competitive 9% housing tax credits for a new construction rental housing development to be known as Foundation Village, located at or near 11704 and 11706 North Lamar Boulevard; and related to the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 7.

Resolution No. 20190207-006 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

Item 7 was pulled for discussion.

8. Approve a resolution related to an application by St. Elmo Commons, LP, or an affiliated entity, for competitive 9% housing tax credits for a new construction rental housing development to be known as St. Elmo Commons, located at or near 4510 Terry-O Lane; and related to the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 3.

Resolution No. 20190207-008 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

9. Approve a resolution related to an application by Saltillo DMA Housing, LLC, or an affiliated entity, for competitive 9% housing tax credits for a new construction rental housing development to be known as Talavera Lofts, located at or near 1400 East 5th Street; and related to the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 3.

Resolution No. 20190207-009 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

Item 10 was pulled for discussion.

11. Approve a resolution related to an application by Tierra Skyline, LLC, or an affiliated entity, for competitive 9% housing tax credits for a new construction rental housing development to be known as Tierra Skyline, located at or near 5400 East Oltorf Street; and related to the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 3.

Resolution No. 20190207-011 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

12. Approve a resolution related to an application by Vi Collina, LLC, or an affiliated entity, for competitive 9% housing tax credits for a new construction development to be known as Vi Collina, located at or near 2401 East Oltorf; and related to the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 3.

Resolution No. 20190207-012 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

13. Approve a resolution related to an application by Vista at Kemp, L.P., or an affiliated entity, for competitive 9% housing tax credits for a new construction rental housing development to be known as Vista at Kemp, located at or near 508 Kemp Street; and related to the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 3.

Resolution No. 20190207-013 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

Item 14 was pulled for discussion.

15. Approve a resolution designating an application for competitive 9% housing tax credits by City View at Hyde Park, L.P., or an affiliated entity, as contributing more than any other application to the concerted revitalization efforts of the City within the North Loop Neighborhood Plan Area. District(s) Affected: District 9.

Resolution No. 20190207-015 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

16. Approve a resolution designating an application for competitive 9% housing tax credits by St. Elmo Commons, LP, or an affiliated entity, as contributing more than any other application to the concerted revitalization efforts of the City within the South Congress Combined Neighborhood Plan Area. District(s) Affected: District 3.

Resolution No. 20190207-016 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

Item 17 was pulled for discussion.

18. Approve a resolution designating an application for competitive 9% housing tax credits by Saltillo DMA Housing, LLC, or an affiliated entity, as contributing more than any other application to the concerted revitalization efforts of the City within the area subject to the Plaza Saltillo Transit Oriented District (TOD) Station Area Plan. District(s) Affected: District 3.

This item was withdrawn.

19. Approve a resolution designating an application for competitive 9% housing tax credits by Vista at Kemp, L.P., or an affiliated entity, as contributing more than any other application to the concerted revitalization efforts of the City within the Montopolis Neighborhood Plan Area. District(s) Affected: District 3.

Resolution No. 20190207-019 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

20. Authorize negotiation and execution of an interlocal agreement with Travis County for the City to administer the 2017 Justice Assistance Grant Program.

The motion authorizing negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

21. Authorize negotiation and execution of an interlocal agreement with Travis County for the City to administer the 2018 Justice Assistance Grant Program.

The motion authorizing negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

22. Authorize negotiation and execution of a multi-term cooperative contract with Central Texas Commercial A/C & Heating Inc., to provide chiller rental services, for up to two years for a total contract amount not to exceed \$420,000. (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 cooperative contract with Central Texas Commercial A/C & Heating Inc. was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

23. Approve an amendment to an existing contract with Alta Planning + Design, Inc., to provide continued implementation of the Smart Trips program, to increase the amount by \$1,214,000 and extend the term for up to three years, for a revised total contract amount not to exceed \$1,875,000. (Note: This amendment will be awarded in compliance with City Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. Current participation to date 6.01% MBE/WBE combined).

The motion approving an amendment to an existing contract with Alta Planning + Design, Inc., was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

24. Authorize negotiation and execution of multi-term cooperative contracts for furniture, including installation and other related services, with Arconas Corporation, Davis Furniture, Herman Miller Inc., Knoll Inc., Mayline, Janus et Cie, Keilhauer, Steelcase, and various other manufacturers and their approved distributors, for up to five years for total contract amounts not to exceed \$16,550,000 divided among the contractors. (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 and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing negotiation and execution of multi-term cooperative contracts with Arconas Corporation, Davis Furniture, Herman Miller Inc., Knoll Inc., Mayline, Janus et Cie, Keilhauer, Steelcase, and various other manufacturers and their approved distributors was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

25. Authorize award and execution of a multi-term contract with Thyssenkrupp Airport Systems, Inc., to provide passenger boarding bridge tires, for up to five years for a total contract amount not to exceed \$435,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

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

26. Authorize negotiation and execution of a cooperative contract with SHI Government Solutions to provide Vertiv/Liebert products and services for uninterruptible power supply batteries including maintenance, training, and support services, for a term of five years in an amount not to exceed \$585,000. (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 goods and services 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 SHI Government Solutions was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

27. Authorize award of a multi-term contract with Unity Contractor Services, Inc. (MBE), to provide vegetative and grounds maintenance of ponds, for up to five years for a total contract amount not to exceed \$455,000. (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 with Unity Contractor Services, Inc. was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.
28. Authorize negotiation and execution of a cooperative contract with UNICOM Government Inc., for an ATXN control room at the Central Library, in an amount not to exceed \$300,000. (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 and services 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 UNICOM Government Inc. was approved on consent Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

Item 29 was pulled for discussion.

30. Approve a resolution initiating site specific variances and amendments to the Land Development Code, including Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative), as minimally required to address proposed development of a residential lot without existing subdivision at 10111 Dobbin Drive, located within the Barton Springs Zone, while maximizing environmental protection. Council Sponsors: Council Member Ann Kitchen, Mayor Steve Adler, Council Member Paige Ellis, Council Member Leslie Pool.
Resolution No. 20190207-030 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on a 10-1 vote. Council Member Tovo voted nay.
31. Approve a resolution directing the City Manager and the City Clerk to identify best practices and recommendations for efficient and immediately visible or audible voting procedures for the City Council. Council Sponsors: Council Member Leslie Pool, Council Member Ann Kitchen, Mayor Steve Adler, Council Member Jimmy Flannigan, Council Member Alison Alter.
Resolution No. 20190207-031 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.
32. Approve an ordinance waiving or reimbursing certain fees for the Austin Chinese American Network Lunar New Year event, sponsored by the Austin Chinese American Network, to be held on Saturday, February 16, 2019 at the Austin Independent School District Performing Arts Center. Council Sponsors: Council Member Jimmy Flannigan, Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Alison Alter, Council Member Natasha Harper-Madison.
Ordinance No. 20190207-032 was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

Item 33 was pulled for discussion.

Item 51 was pulled for discussion.

52. Authorize negotiation and execution of an amendment to the Brackenridge Development Agreement regarding property located along Lake Austin Boulevard near the intersection of Lake

Austin Boulevard and Exposition Boulevard and to the Lions Municipal Golf Course lease, both with the Board of Regents of the University of Texas System, to extend the Notice of Cancellation dates, to extend the termination dates to May 25, 2020 or such later date as may be agreed to by the parties, to make other amendments approved by Council, and to authorize a lease payment for the golf course in an amount not to exceed \$497,663 per year.

The motion authorizing negotiation and execution of an amendment to the Brackenridge Development Agreement regarding property located along Lake Austin Boulevard near the intersection of Lake Austin Boulevard and Exposition Boulevard and to the Lions Municipal Golf Course lease, both with the Board of Regents of the University of Texas System was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

Direction was given to staff to pursue an agreement that broadly benefits the entire Austin community.

Item 53 was pulled for discussion.

54. Approve the appointment of Mary Ann Rodriguez, M.D. as Health Authority, and designation of Ming Tang, M.D. and Mark Escott, M.D., M.P.H., each individually, as an Alternate Health Authority for the Austin Public Health Department effective immediately through December 31, 2019.

The motion approving the appointment of Mary Ann Rodriguez, M.D. as Health Authority, and designation of Ming Tang, M.D. and Mark Escott, M.D., M.P.H., each individually, as an Alternate Health Authority for the Austin Public Health Department was approved on consent on Council Member Tovo's motion, Council Member Alter's second on an 11-0 vote.

Item 55 was pulled for discussion.

DISCUSSION ITEMS

37. Conduct a public hearing to consider Development Terms & Conditions associated with a proposed Agreed Final Judgment and Order in pending litigation affecting land use and environmental regulations applicable to Austin Country Club's 179-acre tract located in Northwest Austin, at 4408 Long Champ Drive Related to Item #3.

The public hearing was conducted and a motion to close the public hearing was approved on Council Member Flannigan's motion, Mayor Pro Tem Garza's second on an 11-0 vote.

3. Authorize entry of an Agreed Final Judgment and Order in Austin Country Club v. City of Austin, cause No. D-1-GN-17-006525, relating to land use and environmental regulations applicable to Austin Country Club's 179-acre tract located in Northwest Austin, at 4408 Long Champ Drive. Related to Item #37.

The motion to authorize entry of an agreed final judgment and order was made by Council Member Flannigan and seconded by Mayor Pro Tem Garza.

A staff amendment was accepted without objection.

The staff amendment was to revise the following:

Revise E.i. to read:

"The Austin Country Club Project shall be deemed complete and subject to the limitation in Paragraph E.iii., below,"

Add the following sentence to E.ii. to read:

“In the year after allowable impervious cover has reached 17%, the Project shall be deemed complete and subject to the limitation in Paragraph E.iii, below.”

Revise to E.iii. to read:

“Once the Austin Country Club project is complete under either Paragraph E.i or ii. above:”

An amendment was made by Council Member Kitchen and seconded by Council Member Pool.

A motion to divide the question was made by Council Member Flannigan and accepted without objection.

A motion to approve the following amendment failed on Council Member Kitchen’s motion, Council Member Pool’s second on a 5-6 vote. Those voting aye were: Council Members Alter, Ellis, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Flannigan, Harper-Madison and Renteria.

The motion was to revise Part 2. D, II, b to read: “Austin Country Club shall refrain from removing at least 25% of the heritage trees located on the Property and 75% of heritage trees located within the Golf District that are existing on the Property on the effective date of these Development Terms.”

A motion was approved as amended below on Council Member Kitchen’s motion, Council Member Pool’s second on an 11-0 vote.

The motion was to revise PART 3. E, ii to read: “If completion of the project per Paragraph E.i., above, has not occurred by the 30th year after the effective date of the Development Terms, the allowable impervious cover for the Project is reduced by .2% per each individual year, until the total allowable impervious cover equals 17% of the gross site area, at which time project shall be deemed complete.”

The motion authorizing entry of an agreed final judgment and order was approved as amended above on Council Member Flannigan’s motion, Mayor Pro Tem Garza’s second on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza Council Members Alter, Casar, Ellis, Flannigan, Harper-Madison, and Renteria. Those voting nay were: Council Members Kitchen, Pool and Tovo.

7. Approve a resolution related to an application by Pathways at Chalmers Courts West, LP, or an affiliated entity, for competitive 9% housing tax credits for a new construction rental housing development to be known as Pathways at Chalmers Courts West, located at or near 315 Comal Street; and related to the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 3.
Resolution No. 20190207-007 was approved on Council Member Renteria’s motion, Council Member Flannigan’s second on an 11-0 vote.
14. Approve a resolution designating an application for competitive 9% housing tax credits by FC Burleson Housing, LP, or an affiliated entity; an application by Tierra Skyline, LLC, or an affiliated entity; or an application by Vi Collina, LLC, or an affiliated entity as contributing more than any other application to the concerted revitalization efforts of the City within the East Riverside/Oltorf Combined Neighborhood Planning Area. District(s) Affected: District 3.
Resolution No. 20190207-014 was approved on Council Member Renteria’s motion, Council Member Kitchen’s second on an 11-0 vote.

Direction was given to name Vi Collina, LLC.

17. Approve a resolution designating an application for competitive 9% housing tax credits by Saltillo DMA Housing, LLC, or an affiliated entity; or an application by Pathways at Chalmers Courts West, LP, or an affiliated entity, as contributing more than any other application to the concerted revitalization efforts of the City within the City of Austin Homestead Preservation Reinvestment Zone No. 1. District(s) Affected: District 3.

Resolution No. 20190207-017 was approved on Council Member Renteria's motion, Council Member Kitchen's second on an 11-0 vote.

Direction was given to name Saltillo DMA Housing, LLC.

33. Approve a resolution directing the City Manager to provide budgetary and program recommendations for placement of Stop the Bleed kits in all high schools serving City of Austin students; study budgetary recommendations for a staffing model to manage Stop the Bleed programs in Austin high schools; and explore partnership opportunities for future expansion of the program. Council Sponsors: Council Member Leslie Pool, Council Member Sabino 'Pio' Renteria, Council Member Ann Kitchen, Council Member Jimmy Flannigan, Council Member Alison Alter.

Resolution No. 20190207-033 was approved as amended below on Council Member Pool's motion, Council Member Flannigan's second on an 11-0 vote.

An amendment was made by Mayor Adler and accepted without objection.

The amendment was to revise the seventh Whereas clause to read:

"Whereas, The Austin-Travis County Emergency Medical Services' (ATCEMS) Explorer Post 247 is an organization for youth aged 14-21 years in the central Texas area dedicated to ensuring that its members learn about careers in Emergency Medical Services (EMS) through hands-on training, ride-along opportunities, and providing public and community service at local events, and it is an important recruiting and workforce development program for the City of Austin; and"

An amendment was made by Mayor Adler and accepted without objection.

The amendment was to revise the first Be It Resolved clause to read:

"The City Manager is directed to study and provide fiscal year 2020 budgetary and program recommendations for Council consideration that includes the estimated cost for Stop the Bleed kits for all high schools serving City of Austin students, including those in the Austin ETJ, and salary and benefit costs for the determined staff model that would manage the daily operations of the Explorer Post 247 and Stop the Bleed programs in Austin high schools. The budgetary and program recommendations should also include consideration of, but not limited to, providing internal EMT-Basic certification with teaching and structure tailored to the EMS Explorers, or provide a voucher alternative for EMT-Basic coursework at a local accredited institution."

CITIZENS COMMUNICATIONS: GENERAL

Mike Clawson - Compassionate Austin - The New Story Festival

Carlos León - 1) God, Jesus Christ & The Holy Spirit are first & forever, 2) Chemtrails cut our skies & poison our air, attacking humanity; 3) Losing your marbles, Vol. V, Part I

Valerie Romness - Challenger Newspaper

Bob Nicks - National response to AFD 4 person staffing ordinance passed in December

Owen Shroyer – TBD

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:36 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.

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

Mayor Adler stated items 10, 34, 35 and 55 would be discussed in Executive Session.

10. Approve a resolution related to an application by The Abali, LLC, or an affiliated entity, for competitive 9% housing tax credits for a new construction rental housing development to be known as The Abali, located at or near 4503 N I-35; and related to the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 9.
34. Consider and take action on Service Extension Request No. 4272 for water service to a 25.96 acre tract located at 10600 N FM 620 Road within the Drinking Water Protection Zone, the City's Limited Purpose Jurisdiction and Austin Water's service area. Related to item #35. District(s) Affected: District 6.
35. Consider and take action on Service Extension Request No. 4273 for wastewater service to a 25.96 acre tract located at 10600 N FM 620 Road within the Drinking Water Protection Zone, the City's Limited Purpose Jurisdiction and Austin Water's service area. Related to Item #34. District(s) Affected: District 6.
55. Authorize negotiation and execution of interlocal agreements with the Board of Regents of the University of Texas System and Central Health relating to the realignment of portions of Red River Street between East 12th Street and East 32nd Street and the relocation of associated utilities and authorize the execution of rights of entry in support of the project. District(s) Affected: District 1, District 9.

Executive Session ended and Mayor Adler called the Council Meeting back to order at 2:12 p.m.

DISCUSSION ITEMS CONTINUED

10. Approve a resolution related to an application by The Abali, LLC, or an affiliated entity, for competitive 9% housing tax credits for a new construction rental housing development to be known as The Abali, located at or near 4503 N I-35; and related to the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 9.
Resolution No. 20190207-010 was approved on Council Member Tovo's motion, Council Member Casar's second on a 10-0 vote. Council Member Ellis was off the dais.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

39. C14-2018-0077 - Damac Commercial - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7712 FM 969 Road (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to neighborhood commercial-mixed use (LR-MU) combining district zoning for Tract 1 and townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 2. First reading approved on November 29, 2018. Vote: 9-0, Council Member Alter was off the dais; Council Member Troxclair was absent. Owner/Applicant: Damac Real Estate Investment Group (Saqib Ali). Agent: Ausland Architects (Kennedy Whiteley). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
Ordinance No. 20190207-039 was approved for neighborhood commercial-mixed use (LR-MU) combining district zoning for Tract 1 and townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning for Tract 2 was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.
40. NPA-2017-0021.01 - 4530 E. Ben White Blvd. - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 4530 E. Ben White Blvd. (Country Club Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed March 12, 2019. Owner/Applicant: Belco Equities, Inc. Agent: Coats Rose (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.
This item was postponed to April 11, 2019 at the request of staff on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.
41. NPA-2018-0012.02.SH - 2107 Alamo Street -Conduct a public hearing and approve an ordinance amending Ordinance No. 020801-91, the Upper Boggy Creek 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 2107 Alamo Street (Boggy Creek Watershed) from Single Family to Multifamily land use. Staff recommendation: To deny Multifamily land use. Planning Commission recommendation: To be reviewed on February 26, 2019. Owner/Applicant: Anmol Mehra. Agent: Glen Coleman. City Staff: Jeff Engstrom, (512) 974-1621. District(s) Affected: District 1.
This item was postponed to March 7, 2019 at the request of staff on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.
42. C14-2018-0100.SH 2107- Alamo Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2107 Alamo Street (Boggy Creek Watershed). Applicant Request: To rezone from single family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Staff Recommendation: To deny multifamily residence moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on February 26, 2019. Owner/Applicant: Anmol Mehra. Agent: South Llano Strategies (Glen Coleman). 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 Renteria's motion, Council Member Flannigan's second on an 11-0 vote.
43. NPA-2018-0021.01 - 5101 East Oltorf - 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 5101 East Oltorf Street. (Country Club Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on March 12, 2019. Owner/Applicant: Charitable Holdings, II. Agent: Armbrust & Brown (Richard Suttle and Ferris Clements). City Staff: Kathleen Fox, (512) 974-7877. District(s) Affected: District 3.

This item was postponed to March 28, 2019 at the request of staff on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.

44. C14-2018-0139 - 1903 Keilbar - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1903 Keilbar Lane (South Boggy Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on January 29 2019. Owner/Applicant: 1905 Keilbar LLC (Michael Winningham). 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. 20190207-044 for townhouse and condominium residence (SF-6) district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.

45. C14-2018-0112 - 2408 Leon - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2408 Leon Street (Shoal Creek Watershed). Applicant Request: To rezone from multifamily - moderate density - conditional overlay - neighborhood plan (MF-4-CO-NP) combining district zoning to general office - mixed use - neighborhood plan (GO-MU-NP) combining district zoning. Staff Recommendation: To grant general office - mixed use - neighborhood plan (GO-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on February 12, 2019. Owner/Applicant: Arlington Capital Austin (Jacob Frumkin). Agent: Drenner Group (Leah Bojo). City Staff: Scott Grantham, 512-974-3574. District(s) Affected: District 9.

This item was postponed to March 7, 2019 at the request of staff on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.

46. C14-2018-0080 - 5101 East Oltorf - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5101 East Oltorf Street (Country Club West Watershed). Applicant's Request: To rezone from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to 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 March 12, 2019. Owner/Applicant: Charitable Holdings, II (Michael Nellis). Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 3.

This item was postponed to March 28, 2019 at the request of staff on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.

47. C14-2018-0071 - Victory Medical Office - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2109 Fort View Road (Williamson Creek Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to limited office (LO) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district zoning, with conditions. Owner/Applicant: Eveann Investments, L.P. (William G. Franklin). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 5.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190207-047 for limited office (LO) district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 10-1 vote. Council Member Flannigan voted nay.

48. C14-2018-0133 - Lakeline at 183A - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 14115 North U.S. Highway 183A North Bound Service Road (Butter Cup Creek, South Brushy Creek, and Lake Creek Watersheds). Applicant Request: To rezone from commercial highway (CH) district zoning, general office (GO) district zoning and community commercial (GR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner/Applicant: C.H. Revocable Trust and The David A. Hartman Irrevocable Non-Exempt Family Trust (Claudette Hartman, Trustee). Agent: The Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190207-048 for community commercial-mixed use (GR-MU) combining district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.

49. C14-85-392(RCT) - Lakeline at 183A - Conduct a public hearing and approve termination of a restrictive covenant on a property locally as 14115 North U.S. Highway 183A North Bound Service Road (Butter Cup Creek, South Brushy Creek, and Lake Creek Watersheds). Applicant Request: To terminate the public restrictive covenant associated with zoning case C14-85-392. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant the restrictive covenant termination. Owner/Applicant: C.H. Revocable Trust and The David A. Hartman Irrevocable Non-Exempt Family Trust (Claudette Hartman, Trustee). Agent: The Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

The public hearing was conducted and a motion to close the public hearing and approve the restrictive covenant termination was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.

56. 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.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190207-056 to change the land use designation on the future land use map (FLUM) to Higher Density Mixed Use land use was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.

57. 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 (N BG-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.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190207-057 for north burnet/gateway-commercial mixed use-neighborhood plan combining (NBG-CMU-NP) district zoning was approved on Council Member Renteria's motion, Council Member Flannigan's second on an 11-0 vote.

DISCUSSION ITEMS CONTINUED

29. 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 as amended below on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

Removal of Members

**Zoning and Platting Commission
Betsy Greenburg**

Council Member Harper-Madison

**Tourism Commission
Michael Searle**

Council Member Harper-Madison

Nominations

**College Student Commission
V. Mical Juliet C.**

Austin Community College

**Urban Transportation Commission (Serve till February 28th)
Samuel Franco**

Council Member Renteria

Reappointments

Board/Nominee

Nominated by

**Downtown Commission
Chris Kanipe**

Council Member Renteria

**Mechanical and Plumbing Board
Stephen Cox**

Council Member Renteria

**Resource Management Commission
Scott Kohan**

Council Member Renteria

**South Central Waterfront Advisory Board
Alfred Godfrey**

Trails Foundation

Joint Inclusion Committee

Krystal Gomez

Commission on Immigrant Affairs

Appointments effective March 1st

Waivers

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.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Joe Miguez on the Human Rights Commission.

Council Committees

Audit and Finance

Council Member Alter, Chair

Council Member Pool, Vice Chair

Members – Mayor Adler and Council Members Alter, Flannigan, Pool, Tovo

Austin Energy

Council Member Tovo, Chair

Council Member Pool, Vice Chair

Members – Mayor Adler, Mayor Pro Tem Garza and Council Members Alter, Casar, Ellis, Flannigan, Harper-Madison, Kitchen, Pool, Renteria, Tovo

Health and Human Services

Council Member Harper-Madison, Chair

Mayor Pro Tem Garza, Vice Chair

Members – Mayor Pro Tem Garza and Council Members Harper-Madison, Kitchen, Tovo

Housing and Planning

Council Member Casar, Chair

Council Member Ellis, Vice Chair

Members – Council Members Casar, Ellis, Harper-Madison, Kitchen, Renteria

Judicial

Council Member Flannigan, Chair

Council Member Casar, Vice Chair

Members – Mayor Pro Tem Garza and Council Members Casar, Flannigan, Harper-Madison

Mobility

Council Member Kitchen, Chair

Council Member Flannigan, Vice Chair

Members – Mayor Pro Tem Garza and Council Members Alter, Ellis, Flannigan, Kitchen

Intergovernmental Entities

Austin Fire Fighters Relief and Retirement Fund	Adler
Balcones Canyonlands Conservation Plan Coordinating Committee	Pool
Community Advancement Network (CAN) Board of Directors	Flannigan Harper-Madison
Capital Area Council of Governments	
A. General Assembly	Adler Flannigan
B. Executive Committee	Flannigan
C. Clean Air Coalition	Ellis
Capital Area Metropolitan Planning Organization (CAMPO) Transportation Policy Board/Advisory Committee	Adler Alter Flannigan Kitchen Ellis as alternate
CAP Metro Transportation Authority Board of Directors	Garza Renteria
City of Austin Employees' Retirement System Board of Trustees	Pool
City of Austin/AISD Board of Trustees/Travis County Commissioners Court Joint Committee	Adler Alter Tovo
Clean Air Force of Central Texas Board of Directors	Ellis
National League of Cities	Casar
Pecan Street Project/Pecan Street Project Inc. Board of Directors	Flannigan
Police Retirement Board	Tovo
Regional Affordability Committee	Garza Ellis Harper-Madison
Sobriety Center Local Government Corporation	Tovo
Texas Colorado River Floodplain Coalition	Ellis
Texas Municipal League Board of Directors	Adler
U.S. Conference of Mayors	Adler
Visit Austin	Adler Tovo
Downtown Austin Alliance	Adler Tovo
Psychiatric Services Stakeholder Committee – Central Health	Kitchen
Hate Crimes Task Force	Flannigan Harper-Madison Tovo
Criminal Justice Coordinating Council	Casar

55. Authorize negotiation and execution of interlocal agreements with the Board of Regents of the University of Texas System and Central Health relating to the realignment of portions of Red River Street between East 12th Street and East 32nd Street and the relocation of associated utilities and authorize the execution of rights of entry in support of the project. District(s) Affected: District 1, District 9.

The motion authorizing negotiation and execution of interlocal agreements with the Board of Regents of the University of Texas System and Central Health was made by Council Member Alter and seconded by Council Member Tovo.

A friendly amendment was made by Council Member Alter and accepted without objection.

The amendment was to revise the second page of the Recommendation for Council Action to read:

“If the city funds any portion of the design or construction of the roadway, the university will credit an amount agreed to by the parties toward a mutually agreed project such as without limitation the possible purchase of Lions Municipal Golf Course or provision of affordable housing or provision of open space.”

An amendment failed on Council Member Harper-Madison’s motion and Mayor Pro Tem Garza’s second on a vote of 5-6. Those voting aye were: Mayor Pro Tem Garza, Council Members Casar, Flannigan, Harper-Madison and Renteria. Those voting nay were: Mayor Adler, Council Members Alter, Ellis, Kitchen, Pool and Tovo.

The amendment was to revise direction to read:

“If the city funds any portion of the design and construction of the roadway, the university will credit an amount agreed upon by the parties toward a project or projects approved by the council at a later time.”

An amendment was approved on Mayor Pro Tem Garza’s motion, Council Member Harper-Madison’s second on an 11-0 vote.

The amendment was to revise direction to read:

“While the acquisition of Lions has long been open space that the city has negotiated to purchase, there are citywide needs and likely other projects that could benefit from credit received as a result of this MOU. The city shall actively seek other opportunities to seek projects that align with the council’s priorities.”

A friendly amendment was made by Council Member Kitchen to replace “likely” to “potentially” on Mayor Pro Tem Garza’s amendment and was accepted without objection.

The motion authorizing negotiation and execution of interlocal agreements with the Board of Regents of the University of Texas System and Central Health was approved as amended above on Council Member Alter’s motion, Council Member Tovo’s second on an 11-0 vote.

Direction was given to staff to proceed with negotiations in a manner that ensures the City received credit for right-of-way (ROW) value, expediting the project and anything of a similar nature and to proceed with these negotiations to secure these credits to benefit the community broadly.

34. Consider and take action on Service Extension Request No. 4272 for water service to a 25.96 acre tract located at 10600 N FM 620 Road within the Drinking Water Protection Zone, the City's Limited Purpose Jurisdiction and Austin Water's service area. Related to item #35. District(s) Affected: District 6.

The motion approving Service Extension Request No. 4272 was approved on Council Member Flannigan’s motion, Council Member Renteria’s second on a 7-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria. Those voting nay were: Council Members Kitchen, Pool, and Tovo. Council Member Alter was off the dais.

35. Consider and take action on Service Extension Request No. 4273 for wastewater service to a 25.96 acre tract located at 10600 N FM 620 Road within the Drinking Water Protection Zone, the City's Limited Purpose Jurisdiction and Austin Water's service area. Related to Item #34. District(s) Affected: District 6.
The motion approving Service Extension Request No. 4273 was approved on Council Member Flannigan's motion, Council Member Renteria's second on a 7-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria. Those voting nay were: Council Members Kitchen, Pool, and Tovo. Council Member Alter was off the dais.
53. Approve an ordinance adopting the Third Amendment to the First Amended and Restated Agreement Concerning the Creation and Operation of Senna Hills Municipal Utility District revising the Land Plan to: 1) change school and irrigation to office use and 2) update the land use allocation table to reflect the actual built-out conditions. This action concerns land located within the Barton Springs Zone.
This item was postponed to February 21, 2019 at the request of the applicant on Mayor Pro Tem Garza's motion, Council Member Tovo's second on a 10-0 vote. Council Member Alter was off the dais.

Mayor Adler recessed the Council Meeting at 3:04 p.m.

Mayor Adler called the Council Meeting back to order at 4:04 p.m.

DISCUSSION ITEMS CONTINUED

51. 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.
This item was postponed to March 7, 2019 on Council Member Pool's motion, Council Member Alter's second on a 6-3 vote. Those voting aye were: Mayor Adler, Council Members Alter, Ellis, Harper-Madison, Kitchen and Pool. Those voting nay were: Mayor Pro Tem Garza, Council Members Flannigan and Renteria. Council Members Casar and Tovo were off the dais.

PUBLIC HEARINGS

38. Conduct 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.
The public hearing was conducted and a motion to close the public hearing was approved by Mayor Adler's motion and accepted without objection.
50. Conduct a public hearing and 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.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190207-050 was approved on Mayor Pro Tem Garza's motion, Council Member Flannigan's second on a 10-0 vote. Council Member Tovo was off the dais.

Mayor Adler adjourned the meeting at 4:38 p.m. without objection.

LIVE MUSIC

Tomar and the FCs

PROCLAMATIONS

Proclamation – Explorer Post and EMS volunteers – To be presented by Council Member Jimmy Flannigan.

Proclamation and Certificates of Appreciation – Austin Energy Regional Science Festival Days – To be presented by Mayor Steve Adler and to be accepted by the event sponsors.

Distinguished Service Award – Dr. Philip Huang – To be presented by Mayor Steve Adler and to be accepted by the honoree.

Proclamation – Engineers Week – To be presented by Council Member Alison Alter.

The minutes were approved on this the 21st day of February 2019 on Mayor Pro Tem Garza's motion, Council Member Tovo's second on a 11-0 vote.