



Thursday, August 30, 2018

The City Council will convene at 10:00 AM on
Thursday, August 30, 2018 at Austin City Hall
301 W. Second Street, Austin, TX



Mayor Steve Adler
Mayor Pro Tem Kathie Tovo, District 9
Council Member Ora Houston, District 1
Council Member Delia Garza, District 2
Council Member Sabino “Pio” Renteria, District 3
Council Member Gregorio Casar, District 4
Council Member Ann Kitchen, District 5
Council Member Jimmy Flannigan, District 6
Council Member Leslie Pool, District 7
Council Member Ellen Troxclair, District 8
Council Member Alison Alter, District 10

For meeting information, contact the City Clerk, (512) 974-2210

Consent Agenda

Approval of Minutes

1. Approve the minutes of the Austin City Council special called of August 15, 2018, budget work session of August 15, 2018, work session of August 21, 2018, regular meeting of August 22, 2018, and regular meeting of August 23, 2018.

Capital Contracting Office

2. Authorize award and execution of a construction contract with Santa Clara Construction, Ltd. (MBE), for the East 7th Street at Chicon Street and Calles Street Intersection Improvements (REBID) project in the amount of \$387,361.00 plus a \$38,736.10 contingency, for a total contract amount not to exceed \$426,097.10.

[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 83.56% MBE and 1.37% WBE participation.]

District(s): District 1; District 3

3. Authorize negotiation and execution of an amendment to the professional services agreement with Jackson and McElhaney Architects for the 2013 General Architectural Services Rotation List for additional design services in the amount of \$86,916 and a new Rotation List contract authorization amount not to exceed \$4,886,916.

[Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current Participation to date is 31.46% MBE and 17.56% WBE.]

4. Authorize additional contingency funding for the construction contract with Santa Clara Construction Ltd. (MBE), for the Tanglebriar System Improvements Project in the amount of \$66,500, for a total contract amount not to exceed \$1,041,047.50.

[Note: This contract was awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Business Enterprise Procurement Program). Current Participation to date is 74.97% MBE and 0.89% WBE.]

District(s): District 6

5. Authorize negotiation and execution of a design build agreement with Southwest Corporation, for design and construction services for the Austin Fire Department Locker Room Phase 6 project in an amount not to exceed \$12,700,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 72.00% MBE and 8.00% WBE participation.]

District(s): District 5; District 7; District 9; District 10

6. Authorize the use of the design-build method of contracting for the design and construction of bay

and electrical repairs for Austin Fire Department Stations #1, #3, and #22.

[Note: MBE/WBE goals will be established prior to issuance of this solicitation.]

District(s): District 9; District 3

Economic Development Department

7. Approve a resolution to authorize the Circuit Events Local Organizing Committee to act on behalf of the City for the Texas Events Trust Fund for the purpose of conducting economic studies, submitting applications, and submitting any required funding to the Texas Office of the Governor for IndyCar events to be held at the Circuit of the Americas facility.

District(s): District 2

Financial Services

8. Approve an ordinance amending the fiscal year 2017-2018 Financial Services Department Operating Budget, (Ordinance No. 20170913-001) to increase appropriations in the Historic Preservation Fund by \$2,491,937, to be funded by a transfer in from the Austin Convention Center Department Operating Budget to 15% of the revenue derived from the hotel occupancy tax in the fiscal year 2017-2018 Historic Preservation Fund.

Management Services

9. Authorize negotiation and execution of an amendment to an interlocal agreement with Travis County relating to services arising from the closing of the Austin Police Department lab that processed DNA evidence; to extend the term length and make other conforming changes.

Municipal Court

10. Authorize negotiation and execution of an amendment to the interlocal agreement with Austin Travis County Mental Health Mental Retardation Center D/B/A Integral Care for the Homeless Street Outreach Team, which connects homeless individuals and families with the initial services necessary to achieve stability and recovery, to increase funding in the amount of \$195,000 effective September 1, 2018.
11. Authorize negotiation and execution of an interlocal agreement with Travis County and the Austin Travis County Mental Health Retardation Center d/b/a Integral Care for mental health and substance use treatment services for indigent citizens and other eligible clients of the Downtown Austin Community Court, for an initial 12-month term beginning October 1, 2018 in an amount not to exceed \$392,000, with four 12-month renewal options not to exceed \$392,000 per option, for a total contract amount not to exceed \$1,960,000.

Neighborhood Housing and Community Development

12. Approve a resolution authorizing the execution of an interlocal agreement with Travis County, Travis County Housing Finance Corporation, Housing Authority of the City of Austin, and Housing Authority of Travis County related to procuring and managing a contract to conduct a Housing Market Analysis.

Office of Real Estate Services

13. Approve negotiation and execution of all documents and instruments necessary or desirable to transfer in fee simple Lot 19, Block 1, Westridge, a subdivision in Travis County, Texas, located at 1611 W. 10th Street to the Austin Housing Finance Corporation for the development of affordable residential housing.

District(s): District 9

14. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 4.655 acres out of the A.E. Livingston Survey Abstract No. 478, Travis County, Texas, located at 9804 N. Ranch Road 620, Austin, Texas from Orcid Holdings LLC, for a total amount not to exceed \$1,503,000.00, including closing costs.

District(s): District 6

15. Authorize negotiation and execution of an encroachment agreement with the Board of Regents of The University of Texas System for the subsurface encroachment of approximately 180 square feet of right-of-way for a proposed underground private twelve inch waterline crossing within Comal Street between East 21st Street and Manor Road, site plan address of 2100 Concho Street.

District(s): District 1

16. Authorize negotiation and execution of an encroachment agreement with 208 Nueces Street LLC for the surface and subsurface encroachment of approximately sixteen square feet (surface) and eighteen square feet (subsurface) of right-of-way by an existing building, building grade beam and pier within Nueces Street between West 3rd Street and West 2nd Street, site plan address of 607 West 3rd Street.

District(s): District 9

17. Authorize the negotiation and execution of an 84-month lease agreement for approximately 9,868 square feet of office space for the Austin Public Health Department with 5204 Ben White 2017, LP, a Texas Limited Partnership, for property located at 5202 Ben White Boulevard, Unit 6 in an amount not to exceed \$1,900,281.

District(s): District 3

Public Health

18. Approve an ordinance authorizing acceptance of \$75,000 in grant funds from the University of Utah and amending the Fiscal Year 2017-2018 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance 201709013-001) to appropriate \$75,000 for the Pritzker Children's Initiative (PCI) Fellows Program; and authorizing negotiation and execution of an agreement with the University of Utah for the PCI Fellows Program for a 12-month term with one 12-month renewal option, each in an amount not to exceed \$75,000, for a total agreement amount not to exceed \$150,000.

19. Authorize negotiation and execution of an increase to a contract with AIDS Services of Austin, Inc, for the Housing Opportunities for Persons Living With HIV/AIDS Program in an amount not to exceed \$102,039 for each of the 12-month terms beginning October 1, 2018 and October 1, 2019, for a total revised contract amount not to exceed \$2,918,819.

Transportation

20. Approve an amendment to an interlocal agreement with the Austin Independent School District to authorize the City to provide parking meter infrastructure and parking enforcement on Stephen F. Austin Drive.

District(s): District 8; District 9; District 10

21. Approve the Colorado River Area application to create a parking and transportation management district (PTMD) and an ordinance establishing a Colorado River Area PTMD.

District(s): District 8; District 9; District 10

22. Approve an ordinance amending City Code Section 12-4-64 (D) to reduce the length of an existing school zone by 170 feet on East Live Oak Street.

District(s): District 9

Item(s) from Council

23. 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.

24. Approve a resolution encouraging retailers to continue to honor the City's 2013 Single-Use Bag Ordinance.

Sponsors: Council Member Leslie Pool, Council Member Ora Houston, Council Member Gregorio Casar, Council Member Alison Alter, and Mayor Pro Tem Kathie Tovo

25. Approve a resolution directing the City Manager to explore and develop recommendations to ensure that the City of Austin does not provide financial support to organizations whose activities result in the separation of children from their parent/parents and/or siblings or that result in the mass incarceration of immigrant children.

Sponsors: Council Member Sabino "Pio" Renteria, Council Member Gregorio Casar, Council Member Delia Garza, and Council Member Ann Kitchen

26. Approve an ordinance waiving or reimbursing certain fees required for hanging banners designed to assist the Young Men's Christian Association (YMCA) of Austin with advertising for jobs sponsored by the YMCA.

Sponsors: Mayor Pro Tem Kathie Tovo, Mayor Steve Adler, Council Member Ann Kitchen, Council Member Alison Alter, and Council Member Delia Garza

Item(s) to Set Public Hearing(s)

27. 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: September 20, 2018, 4:00 p.m. at 301 West Second St., Austin, TX).

Non-Consent

10:30 AM - Austin Housing and Finance Corporation Meeting

28. 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 AHFC agenda is temporarily located at <https://austintexas.gov/department/city-council/2018/20180830-ahfc.htm>).

Executive Session

29. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
30. Consider compensation and benefits for the City Manager (Personnel matters - Section 551.074 of the Government Code).
31. Consider compensation and benefits for the City Clerk (Personnel matters - Section 551.074 of the Government Code).
32. Consider compensation and benefits for the City Auditor (Personnel matters - Section 551.074 of the Government Code).
33. Consider compensation and benefits for the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).
34. Discuss legal issues related to Quentin Perkins v. City of Austin et al, Cause No. 1:18-cv-00651, In the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel-Section 551.071 of the Government Code).
35. Discuss legal issues related to In re Ed English, Cause No. 18-0749 in the Supreme Court of Texas (Private consultation with legal counsel-Section 551.071 of the Government Code).
36. Discuss legal issues related to the November 2018 election (Private consultation with legal counsel - Section 551.071 of the Government Code).

2:00 PM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

37. C14-2017-0022 - Bluff Springs Commercial - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6901 and 7001 Bluff Springs Road (Williamson Creek Watershed; South Boggy Creek Watershed). Applicant's 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: Pending. Zoning and Platting Commission Recommendation: To be reviewed on August 21, 2018. Owner/Applicant: Buda Bluff, LLC (Salim Haddad). Agent: South Llano Strategies (Glen Coleman). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

38. C14-2018-0069 - South Bluff Park - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7309 South IH-35 Service Road Northbound (South Boggy Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning to general commercial services--mixed use-conditional overlay (CS-MU-CO) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant general commercial services--mixed use-conditional overlay (CS-MU-CO) combining district zoning, to

change a condition of zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: Bennett Realty Group, Inc. (Delbert C. Bennett). Agent: Mathias Company (Richard Mathias). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

39. C10-V-82-033(RCT) - Caruth Administration Center (AISD Site) - District 9 - Conduct a public hearing and approve termination of a restrictive covenant and termination of conditions A, B, C and D included as part of quit claim deed recorded as Volume 8156, Pages 490 - 501 on property locally known as 1111 W. 6th Street (Lady Bird Lake Watershed). Staff Recommendation: To grant the restrictive covenant termination and termination of conditions A, B, C and D of the quit claim deed. Planning Commission Recommendation: To grant the restrictive covenant termination. Owner/Applicant: Austin Independent School District. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Scott Grantham, 512-974-3574.

District(s): District 9

40. C14-2018-0048 - 3503 Oak Creek Drive Rezoning - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3503 Oak Creek Drive (Walnut Creek Watershed). Applicant Request: To rezone from single family residence-standard lot (SF-2) district zoning to townhouse & condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse & condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse & condominium residence-conditional overlay combining (SF-6-CO) district zoning. Owner/Applicant: Rodney and Marian Chervenka. Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

41. C14-2018-0073 - Hymeadow Office Park - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12343 and 12401 Hymeadow Drive (Lake Creek Watershed). Applicant Request: To rezone from interim-single family residence-standard lot (I-SF-2) district zoning to limited office (LO) district zoning. Staff Recommendation: To grant limited office (LO) district zoning. Zoning and Platting Commission Recommendation: To grant limited office (LO) district zoning. Owner/Applicant: Hymeadow Office Park Condominium Association, Inc. (Gilbert Adamek and Janet Rusk-Adamek), North Creek Partners, LP, Ascsha Holding, LLC. Agent: Liddiard Real Estate, Inc. (Brian Liddiard). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 6

42. C14-2018-0076 - Sam's Auto, Part 2 - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11815 Buckner Road (Lake Travis Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning and community commercial (GR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning. Owner: Samar Siavash and Famoori-Sheshdeh Nooshin. Applicant: City of Austin Planning and Zoning Department (Sherri Sirwaitis). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 6

43. C14H-2018-0013 - Smoot/Terrace Park Historic District - District 9 - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property within the proposed boundaries of the Smoot/Terrace Park Historic District, roughly bounded by Pressler Street on the east, including the parcels on both sides of the street; W. 9th Street on the north, including the parcels on both sides of the street; W. 6th Street on the south, including only the parcels on the north side of the street; and Highland Avenue on the west, including the parcels on both sides of the street by adding historic area (HD) combining district overlay to all existing base zoning, but making no other zoning changes. First Reading approved on May 10, 2018. Vote: 7-3, with Flannigan, Garza, and Renteria against; Councilmember Troxclair off the dais. Applicant: Denise Younger. City Staff: Cara Bertron, 512-974-1446. A valid petition has been filed in opposition to this rezoning request.

District(s): District 9

44. C14H-2017-0129 - Vogtsberger-Duarte House -District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1402 E. 2nd Street from family residence-neighborhood plan (SF-3-NP) combining district zoning 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 grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Amy Thompson, owner. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 974-6454.

District(s): District 3

45. C14H-2018-0032 - Thomas and Jessie Ellison House - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4605 Leslie Avenue from family residence-neighborhood plan (SF-3-NP) combining district zoning 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 grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Historic Landmark Commission; Owner: Thomas Kim. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 974-6454.

District(s): District 1

46. C14H-2018-0084 - Bryson-Krueger-Critz House - Council District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1602 West Lynn Street from family residence (SF-3) district zoning to family residence - historic landmark (SF-3-H) combining district zoning. Staff Recommendation: To grant family residence - historic landmark (SF-3-H) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence - historic landmark (SF-3-H) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed August 21, 2018.

Applicant: Historic Landmark Commission; Owner: Jay Riskind. Agent: Glen Coleman, South Llano Strategies. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 974-6454. A valid petition has been filed in opposition to this rezoning request.

District(s): District 9

4:00 PM - Public Hearings and Possible Actions

47. Conduct a public hearing to receive public comment on growth-related projects within the Drinking Water Protection Zone to be included in the Fiscal Year 2018-2019 Capital Budget.
48. Conduct a public hearing regarding the update of the City of Austin Water and Wastewater Impact Fee Land Use Assumptions and Capital Improvement Plan, including proposed amendments to impact fees.
49. Conduct a public hearing to receive public comment on the proposed rate and fee changes for Austin Energy as part of the Fiscal Year 2018-2019 proposed budget.
50. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2018-2019 Proposed Budget.
51. Conduct a public hearing on the proposed property (ad valorem) tax rate for Fiscal Year 2018-2019.
52. Conduct a public hearing and consider a resolution for an application to be submitted to the Texas Department of Housing and Community Affairs by Dessau East, L.P., or an affiliated entity, for the construction of a multi-family development to be known as Legacy Ranch @ Dessau East, located near the intersection of Dessau Road and Fish Lane.

District(s): District 7