



# City of Austin

301 W. Second Street  
Austin, TX

## Agenda

### City Council Work Session

*Mayor Steve Adler*

*Mayor Pro Tem Delia Garza*

*Council Member Natasha Harper-Madison*

*Council Member Sabino "Pio" Renteria*

*Council Member Gregorio Casar*

*Council Member Ann Kitchen*

*Council Member Jimmy Flannigan*

*Council Member Leslie Pool*

*Council Member Paige Ellis*

*Council Member Kathie Tovo*

*Council Member Alison Alter*

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Tuesday, February 19, 2019

9:00 AM

Austin City Hall

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*The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.*

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

**A. Pre-Selected Agenda Items**

**B. Briefings**

**B1.** 2018 Community Survey Results

**C. Council Items of Interest**

**D. Council Discussion**

**D1.** Planning Commission membership and appointments.

**E. Executive Session**

**E1.** Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).

**E2.** Discuss issues related to Austin Energy generation resource planning (Certain Public Power Utilities: Competitive Matters - Section 551.086 of the Government Code).

**E3.** Discuss legal issues related to the citizen-initiated petition regarding the conveyance of city-owned property for sports or entertainment facilities (Private consultation with legal counsel - Section 551.071 of the Government Code).

**E4.** Discuss legal issues related to housing distribution policies for low- and moderate-income housing

(Private consultation with legal counsel - Section 551.071 of the Government Code).

**Adjourn**

## Consent Agenda

### Approval of Minutes

1. Approve the minutes of the Austin City Council work session of February 5, 2019, discussion of February 5, 2019, and regular meeting of February 7, 2019.

### Austin Water

2. Approve a resolution authorizing the City Manager to apply for low interest loans from the Texas Water Development Board for up to \$53,000,000 in Clean Water State Revolving Fund loans and up to \$67,830,000 in Drinking Water State Revolving Fund loans.

### Capital Contracting Office

3. Authorize negotiation and execution of a professional services agreement with Limbacher & Godfrey, Inc. (WBE), (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP256 to provide the Architectural and Historic Preservation Services for the Zilker Park Metro Clubhouse Rehabilitation project in an amount not to exceed \$375,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.]

District(s): District 8

4. Authorize additional funding in the amount of \$2,000,000 for the Town Lake Metro Park Alliance Children's Garden Reissue Construction Manager-at-Risk contract with SpawGlass Contractors, Inc., for a revised contractual Construction Cost Limitation for a total amount not to exceed \$6,059,000. Related to Item #10.

[Note: This request is for additional funding authority only. A budget amendment request is being submitted by the sponsor department to increase the project budget by \$2,000,000].

District(s): District 9

### Fire

5. Authorize execution of an interlocal agreement with the Texas Parks and Wildlife Department (TPWD) for prescribed fire training of Austin Fire Department personnel by TPWD personnel through TPWD's prescribed fire operations, for a five year term.

### Management Services

6. Approve an ordinance amending the Fiscal Year 2018-2019 Communications and Technology Management Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to accept and appropriate \$4,860,509 in disaster recovery grant funds from the Texas General Land Office; and authorizing negotiation and execution of an agreement with the

Texas General Land Office to install additional radio communications sites in southeast Austin and Travis County.

### **Office of Real Estate Services**

7. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple Lot 68, Block "A", The Bluffs of University Hills Section 3, a subdivision in Travis County, Texas, located at 6313 Waynesburg Cove, Austin, Texas from RSI Communities - Texas LLC, a Delaware limited liability company, for a total amount not to exceed \$185,000.

District(s): District 1

8. Authorize negotiation and execution of an encroachment agreement with Plaza Saltillo TOD, L.P. for the aerial and surface encroachment of approximately 444 square feet (aerial) and 79 square feet (surface) of right-of-way of existing slab and eave, concrete steps, and handrails within East 4th Street and Attayac Street, located at 1300 East 4th Street.

District(s): District 3

9. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 7.13 acres out of the Santiago Del Valle Survey, Abs. No. 24 in Travis County, Texas, located along East Stassney Lane, Austin, Texas from Texas Parks and Wildlife Department, for a total amount not to exceed \$100,000.

District(s): District 2

### **Parks and Recreation**

10. Approve an ordinance amending the Fiscal Year 2018-2019 Parks and Recreation Department Capital Budget (Ordinance No. 20180911-001) to increase appropriations by \$2,000,000 for the Alliance Children's Garden project. Related to Item #4.

District(s): District 9

### **Planning and Zoning**

11. 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.

### **Police**

12. Approve a resolution authorizing the acceptance of grant funding in the amount of \$122,112 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled Critical Incident Stress Debriefing Program.
13. Approve a resolution authorizing the acceptance of grant funding in the amount of \$575,063 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled First Responder Mental Health Resiliency Program.

## **Public Health**

14. Authorize negotiation and execution of amendment no. 1 to an agreement with American Gateways for immigration legal services and deportation defense to increase funding in an amount not to exceed \$150,000 for each remaining 12-month extension option, for a total amount not to exceed \$975,000.
15. Authorize negotiation and execution of Amendment 1 to the agreement with Family Eldercare, Inc. for the provision of temporary employment opportunities for homeless individuals in an amount not to exceed \$150,000 for a seven-month period beginning March 1, 2019, for a total amount not to exceed \$208,000.
16. Authorize negotiation and execution of an interlocal agreement with Austin Independent School District for the provision of startup costs for up to five new Pre-Kindergarten classrooms to expand affordable childcare options for Austin residents, with a seven-month term in an amount not to exceed \$80,000.
17. Authorize negotiation and execution of an interlocal agreement with Manor Independent School District for the provision of startup costs for four new Pre-Kindergarten classrooms to expand affordable childcare options for Austin/Travis County residents, with a seven-month term, in an amount not to exceed \$64,000.
18. Authorize negotiation and execution of an agreement with Front Steps, Inc. for the operation and management of emergency shelter services at the Austin Resource Center for the Homeless for a 12-month period with four 12-month extension options, each in an amount not to exceed \$313,922, for a total amount not to exceed \$1,750,000.

## **Purchasing Office**

19. Authorize negotiation and execution of a multi-term contract with Colette Holt & Associates, to conduct an availability and disparity study of minority owned and women owned business enterprises and disadvantaged business enterprises, for up to two years in an amount not to exceed \$1,000,000.

(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).

20. Authorize negotiation and execution of four multi-term contracts with ecobee, EnergyHub, Inc., Virtual Peaker, Inc. and Whisker Labs, Inc., to provide demand response management portals and application programming interfaces for smart thermostats and other distributed energy resources, each for up to five years for total contract amounts not to exceed \$6,250,000 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 no subcontracting opportunities;

therefore, no subcontracting goals were established).

21. Authorize negotiation and execution of a cooperative contract with Kudelski Security, Inc., to provide A10 Networks products and services, including maintenance, training and support services, for a term of three years in an amount not to exceed \$450,000.

(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).

22. Authorize negotiation and execution of a cooperative contract with GTS Technology Solutions, Inc., to provide Splunk software products and services, including maintenance, training and support services, for a term of three years in an amount not to exceed \$2,134,000.

(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).

23. Authorize negotiation and execution of a multi-term contract with The People's Institute for Survival and Beyond, to provide Undoing Racism® training for up to five years for a total contract amount not to exceed \$880,000.

(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).

24. Authorize negotiation and execution of a contract with Gustafson Guthrie Nichol LTD, or one of the other qualified offerors to Request for Proposals 8600 GLB3000, to provide consulting services for a master plan for the John Trevino Jr. Metropolitan Park, in an amount not to exceed \$430,150.

(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 and subcontractor goals were applied to the solicitation. The subcontracting goals were exceeded, and the resulting contract will include 6.93% MBE and 7.54% WBE).

25. Authorize award of a multi-term contract with Texas Corrugators, to provide guard railing and supplies, for up to five years for a total contract amount not to exceed \$480,000.

(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).

#### **Item(s) from Council**

26. 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.

27. Approve a resolution to create a new bonus program for affordable housing developments by initiating amendments to City Code Title 25.

**Sponsors:** Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, Council Member Natasha Harper-Madison, and Council Member Sabino "Pio" Renteria

28. Approve a resolution relating to the geographic areas for the Community Development Commission and designating the organizations making nominations to the Commission.

**Sponsors:** Council Member Gregorio Casar, Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Sabino "Pio" Renteria, and Council Member Natasha Harper-Madison

### **Item(s) to Set Public Hearing(s)**

29. Set a public hearing to consider an ordinance adopting Local Standards of Care for the City of Austin Parks and Recreation Department's Youth Programs. (Suggested date: March 7, 2019, at Austin City Hall, 301 W. Second Street).

30. Set a public hearing to consider a request by the agent for the owner of Charles Schwab Austin, located at 2309 Gracy Farms Lane, to waive the distance requirement of City Code Section 4-9-4(A), which requires a minimum of 300 feet between a business that sells alcoholic beverages and a public school. (Suggested date and time: March 28, 2019, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)

**District(s):** District 7

31. Set a public hearing to consider an ordinance that will increase the tax increment rate in Homestead Preservation Reinvestment Zone Number One from 10 to 20 percent. (Suggested date: March 7, 2019, Austin City Hall, 301 W. Second Street, Austin, TX.).

**District(s):** District 3

32. Set a public hearing to consider an ordinance regarding floodplain variances for the construction of a new single-family residence at 4515 Avenue D within the 25-year and 100-year floodplains of Waller Creek. (Suggested date: March 7th, 2019 at Austin City Hall, 301 W. Second Street)

**District(s):** District 9

33. Set a public hearing to consider an ordinance authorizing execution of an agreement with Austin Independent School District establishing site development standards for Bowie High School, located at 4103 Slaughter Lane, and allowing transfers of impervious cover for redevelopment of school campuses within the Barton Springs Zone (This action concerns land located with the Barton Springs Zone). (Suggested date: March 28, 2019, at Austin City Hall, 301 W. Second Street, Austin, TX)

**District(s):** District 8

### **Executive Session**

34. Discuss legal issues related to open government matters (Private consultation with legal counsel -

**Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

35. NPA-2018-0016.01 - Sekrit Theater - Approve second and third readings of 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 1145 and 1147 Perry Road (Boggy Creek Watershed) from Single Family to Higher Density Single Family land use. First reading approved December 13, 2018 for Higher Density Single Family land use. Vote: 10-0 with Council Member Renteria absent. Owner/Applicant: Beau Reichert. Agent: Matthew Lewis. City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 3

36. C14-2018-0074 - Sekrit Theater - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1145 and 1147 Perry Road (Boggy Creek Watershed). Applicant request: to rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. First reading approved on December 13, 2018. Vote: 10-0 with Council Member Renteria absent. Owner/Applicant: Beau Reichert. Agent: Simple City Design (Matthew Lewis). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 3

**Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

37. C14-2018-0065 - Town Lake Circle I - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2215 and 2315 Town Lake Circle (Lady Bird Lake Watershed). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) to corridor mixed use (CMU). Staff Recommendation and Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU) subdistrict zoning. Owner/Applicant: FBZ Town Lake Circle II LP. Agent: Drenner Group (Leah Bojo). City Staff: Scott Grantham, 512-974-3574.

District(s): District 3

38. C14-2018-0064 - Town Lake Circle II - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2423 and 2439 Town Lake Circle, and 2425 Elmont Drive (Lady Bird Lake and Country Club West Watersheds). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) to corridor mixed use (CMU). Staff Recommendation and Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU) subdistrict zoning. Owner/Applicant: FBZ Town Lake Circle LP. Agent: Drenner Group (Leah Bojo). City Staff: Scott Grantham, 512-974-3574.

District(s): District 3

39. C14-2018-0141 - 1907 Inverness Zoning Change - Conduct a public hearing and approve an



ordinance amending City Code Title 25 by rezoning property locally known as 1907 Inverness Boulevard (Williamson Creek Watershed). Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Staff Recommendation: To grant limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on February 12, 2019. Owner/Applicant: Marquee Investments, LLC (Alex Bahrami). Agent: Austex Building Consultants (Jonathan Perlstein). City Staff: Wendy Rhoades, 512-974-7719.

**District(s):** District 5

40. C14-2018-0120 - Herblin-Shoe Mixed Use Rezoning -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 712 W. 16th Street (Shoal Creek Watershed). Applicant Request: To rezone from family residence - historic landmark (SF-3-H) combining district zoning to general office - mixed use - historic landmark - conditional overlay (GO-MU-H-CO) combining district zoning. Staff Recommendation and Historic Landmark Commission Recommendation: To grant general office - mixed use - historic landmark - conditional overlay (GO-MU-H-CO) combining district zoning. Planning Commission Recommendation: To be reviewed on February 12, 2019. Owner/Applicant: Rothcom, LP (Megan Fults). Agent: Thrower Design (Victoria Haase). City Staff: Scott Grantham, 512-974-3574.

**District(s):** District 9

41. C14-2018-0123 - 4004 Clawson Road- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4004 Clawson Road (West Bouldin Creek Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Owner/Applicant: James Young. Agent: James Young. City Staff: Scott Grantham, 512-974-3574.

**District(s):** District 5

42. NPA-2018-0021.03 - Colop 2 - 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 5107 East Riverside Drive (Country Club Creek Watershed) from Single Family to Mixed Use/Office land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: Francisco Colop. Agent: Bennett Consulting (Rodney Bennett). City Staff: Maureen Meredith, (512) 974-2695.

**District(s):** District 3

43. C14-2018-0088 - Colop 2 -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5107 East Riverside Drive (Country Club West Watershed). Applicant Request: To rezone from single family residence - standard lot - neighborhood plan (SF-2-NP) combining district zoning to limited office - mixed use - conditional overlay - neighborhood plan (LO-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited office - mixed use - conditional

overlay - neighborhood plan (LO-MU-CO-NP) combining district zoning. Owner/Applicant: Francisco and Elizabeth Colop. Agent: Bennett Consulting (Rodney K. Bennett). City Staff: Scott Grantham, 512-974-3574.

District(s): District 3

44. 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 February 21, 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): District 3

45. 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 February 21, 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): District 3

46. 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 - moderate-high density - neighborhood plan (MF-4-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on February 12, 2019. Owner/Applicant: Alpha Nu Chapter of Sigma Chi (Linden Welsch). Thrower Design (Victoria Haase). City Staff: Scott Grantham, 512-974-3574.

District(s): District 9

### **Public Hearings and Possible Actions**

47. Conduct a public hearing and consider an appeal by interested parties regarding the decision by the Development Services Department to issue an Outdoor Music Venue permit to Yard Bar, located at 6700 Burnet Rd.

## Addendum

### Consent Agenda

#### City Clerk

48. Adopt a citizen-initiated ordinance, supported by a petition certified sufficient on February 11, 2019, to amend the City Code, regarding the conveyance of city-owned property for sports or entertainment facilities.
49. Approve an ordinance ordering a special municipal election to be held on November 5, 2019, for the purpose of submitting to the voters a proposed citizen-initiated ordinance, certified sufficient on February 11, 2019, regarding the conveyance of city-owned property for sports or entertainment facilities; and providing for the conduct of the special election, including authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the elections.

### Non-Consent

#### Item(s) Referred from Council Committee(s)

50. Approve a resolution appointing Council Member Harper-Madison and Mayor Pro Tem Delia Garza as the public sector representatives and Karen Paup as the private sector representative to the Community Development Commission.

**Sponsors:** Health and Human Services Committee

51. Approve a resolution nominating Council Member Sabino “Pio” Renteria, Council Member Gregorio Casar, Mayor Steve Adler, and Shavene Otero, to the Community Development Commission.

**Sponsors:** Housing and Planning Committee

#### Executive Session

52. Discuss issues related to Austin Energy generation resource planning (Certain Public Power Utilities: Competitive Matters - Section 551.086 of the Government Code).
53. Discuss legal issues related to the citizen-initiated petition regarding the conveyance of city-owned property for sports or entertainment facilities (Private consultation with legal counsel - Section 551.071 of the Government Code).
54. Discuss legal issues related to housing distribution policies for low- and moderate-income housing (Private consultation with legal counsel - Section 551.071 of the Government Code).

Note: The above item(s) will be considered under its respective category, but follow the last number on the Austin, Texas, City Council Agenda for Thursday, February 21, 2019

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