



# 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 18, 2020

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.** Update regarding homelessness issues.
- B2.** Briefing on the Project Assessment Report for the 614 South 1st Street Planned Unit Development (PUD), located at 614 South 1st Street, within the East Bouldin Creek Watershed (CD-2019-0006).

#### **C. Council Items of Interest**

#### **D. Council Discussion**

- D1.** The continued engagement between the City and The University of Texas relating to the development of certain University properties including the Brackenridge Tract and Lions Municipal Golf Course

#### **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 real estate and legal matters related to the purchase, exchange, lease or value of an interest in real property and improvements commonly known as the Palm School, located at 100 North IH-35 in Austin, Texas 78701 (Real property -Section 551.072 of the Government Code and Private

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

- E3.** Discuss real estate and legal matters related to the purchase, exchange, lease, or value of real property locally known as the Lions Municipal Golf Course, generally located at the intersection of Lake Austin Boulevard and Exposition Boulevard (Real property - Section 551.072 of the Government Code and Private consultation with legal counsel - Section 551.071 of the Government Code).
- E4.** Discuss legal issues related to Zaatari et al v. City of Austin et al, Cause No. D-1-GN-65-002620 in the 53rd Judicial District of Travis County, Texas; No. 03-17-00812-CV in the Third Court of Appeals, Travis County, Texas (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 4, 2020, special called of February 5, 2020, regular meeting of February 6, 2020.

### Aviation

2. Authorize payment for the Department of Aviation's membership in the Airports Council International - North America (ACI-NA) and other programs led by ACI-NA, in an amount not to exceed \$75,000.

Sponsors: Mobility

3. Authorize negotiation and execution of a concession agreement with MAG US Lounge Management LLC to lease, design, construct, operate, and maintain a Shared Use Lounge Service Concession at Austin-Bergstrom International Airport (RFP-8100-ABIA-005).  
(Note: This contract will be awarded in compliance with 49 CFR Part 23 - Airport Concessions Disadvantaged Business Enterprise program by meeting goal with 13% participation.).

Sponsors: Mobility

### Capital Contracting Office

4. Authorize award and execution of a construction contract with M.A. Smith Contracting Company, Inc., for the Williamson Creek - Bitter Creek Tributary Channel Rehabilitation project, in the amount of \$2,969,736 plus a \$296,973 contingency, for a total contract amount not to exceed \$3,266,709.

[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 8.38% MBE and 1.46% WBE participation.]

Sponsors: Government That Works for All, and Health and Environment

District(s): District 2

5. Approve a resolution finding the use of the Design-Build method of contracting, as authorized by Subchapter G Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the Mueller Energy Center #2 for the construction of a new 4000-ton chilled water plant.

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

Sponsors: Government That Works for All

6. Authorize award and execution of a construction contract with Alpha Paving Industries LLC (MBE), for the Asphalt Parking Lot/Roads Construction, Rehab and Repair IDIQ contract, in the amount of \$2,000,000 for an initial two year term, with three possible one year extension options of \$2,000,000 each, for a total contract amount not to exceed \$8,000,000.

[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 3.76% MBE and 0.27% WBE participation.]

Sponsors: Mobility

7. Authorize award and execution of a construction contract with M.A. Smith Contracting Company, Inc., for the Boggy Creek-MLK TOD Stormwater Conveyance Improvements Phase 1 project, in the amount of \$2,822,174.75 plus a \$141,108.74 contingency, for a total contract amount not to exceed \$2,963,283.49.

[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 10.35% MBE and 2.65% WBE participation.]

Sponsors: Mobility, and Safety

District(s): District 5

8. Authorize negotiation and execution of a professional services agreement with Terracon Consultants, Inc., or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP287, to provide roof replacement and system upgrade services for Branch Library Roof Replacement and System Upgrades project, in an amount not to exceed \$535,357.

[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.]

Sponsors: Government That Works for All

District(s): District 1; District 3; District 6; District 7; District 10

9. Authorize negotiation and execution of a professional services agreement with Lord Aeck and Sargent, Inc., (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP282, to provide architectural design services for the Faulk Library/History Center and Archival Repository Expansion project, in amount not to exceed \$1,600,000.

[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 17.40% MBE and 16.10% WBE participation.]

Sponsors: Government That Works for All, and Culture and Lifelong Learning

District(s): District 9

10. Authorize negotiation and execution of an amendment to the professional services agreement with McKinney Architects Inc. D/B/A McKinney York Architects, for additional architectural services for the Montopolis Recreation and Community Center, in the amount of \$45,037, for a total contract amount not to exceed \$1,333,037.

[Note: This amendment will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 41.09% MBE and 10.03% WBE.]

**Sponsors:** Culture and Lifelong Learning

11. Approve a resolution finding the use of the Construction Manager-at-Risk method of contracting, as authorized by Subchapter F, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the Emma S. Barrientos Mexican American Cultural Center for renovations and additions to the existing facilities.

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

**Sponsors:** Culture and Lifelong Learning

12. Authorize negotiation and execution of a design build agreement with SpawGlass Construction, Co., for design and construction services for the Dove Springs Public Health Neighborhood Center project, in an amount not to exceed \$12,200,000.

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 14.40% MBE and 5.00% WBE participation.

**District(s):** District 2

### **Community Court**

13. Authorize negotiation and execution of an agreement with Front Steps, Inc. to provide permanent supportive housing services, for an initial seven month term ending September 30, 2020, in an amount not to exceed \$250,000, with four 12-month renewal options not to exceed \$500,000 per option, for a total contract amount not to exceed \$2,250,000.

**Sponsors:** Economic Opportunity and Affordability

### **Economic Development Department**

14. Approve a resolution to nominate Spansion LLC for designation by the Governor's Office of Economic Development and Tourism as a single Texas Enterprise Project in accordance with Chapter 2303 of the Texas Government Code.

**Sponsors:** Economic Opportunity and Affordability

### **Financial Services**

15. Approve a resolution updating the City of Austin's Public Improvement District Policy.

**Sponsors:** Government That Works for All

### **Law**

16. Authorize an amendment to a legal services contract with Lloyd Gosselink Rochelle & Townsend, P.C for services related to Tabrizi v. City of Austin, Cause No. D-1-17-001028 in the 250th Judicial District Court of Travis County, Texas ., in the amount of \$197,000 for a total contract amount not to exceed \$258,000.

**Sponsors:** Government That Works for All

### **Neighborhood Housing and Community Development**

17. Approve a resolution declaring a need for the Housing Authority of Travis County, a Texas county housing authority, to develop multi-family dwelling units (to be known as Apartments at Tech Ridge), located at or near Tech Ridge Boulevard and Interstate Highway 35 north-bound, within the city limits; and authorizing a cooperation agreement between the City and the Housing Authority of Travis County.

**Sponsors:** Economic Opportunity and Affordability

**District(s):** District 1; District 7

18. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$34,000,000 to finance, in part, the new construction of an affordable rental development located at or near 8407, 8509, and 8521 East Parmer Lane, Austin, Texas 78653.

**Sponsors:** Economic Opportunity and Affordability

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

19. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 3.695 acres out of the Santiago Del Valley Grant, Abstract No. 24, in Travis County, Texas, located East of S. Pleasant Valley Road and N. Ben White, Austin, Texas from Plateau Range, Ltd., a Texas limited partnership, for a total amount not to exceed \$251,483, including closing costs.

**Sponsors:** Culture and Lifelong Learning

**District(s):** District 3

20. Authorize negotiation and execution of a lease amendment to extend the lease term for an additional 60 months for Suite 170, located at the Bergstrom Tech Center, 6800 Burleson Road, Building 312, Austin, Texas, and consisting of 6,929 rentable square feet which will serve as a child care facility, in an amount of \$1,592,701, with CCI-Burleson I, LP, a Texas Limited Partnership, for a total amount not to exceed \$2,826,271.

**Sponsors:** Economic Opportunity and Affordability

**District(s):** District 2

### **Parks and Recreation**

21. Authorize the execution of Amendment No. 1 to the Parkland Improvement, Management, and Operations Agreement for Republic Square Park between the City, Austin Parks Foundation, and the Downtown Austin Parks, LLC, related to landscaping, waste, recycling, and utilities for an additional amount not to exceed \$14,000 annually.

**Sponsors:** Culture and Lifelong Learning

**District(s):** District 9

### **Planning and Zoning**

22. Authorize negotiation and execution of an agreement with the Austin-Travis County Collaborative for the provision and coordination of Census 2020 outreach and education services in an amount not to exceed \$200,000.

**Sponsors:** Government That Works for All

23. Authorize negotiation and execution of an interlocal agreement with Travis County to coordinate Census 2020 outreach and education services by hiring a program manager.

Sponsors: Government That Works for All

## **Police**

24. Approve a resolution authorizing the acceptance of \$289,777 in grant funding from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project titled the Crime Lab Enhancement Project. Related to Council item 25.

Sponsors: Safety

25. Approve an ordinance authorizing acceptance of \$89,777 in additional grant funds from the State of Texas, Office of the Governor, Criminal Justice Division, Coverdell National Forensic Sciences Improvement Act Fund; and amending the Fiscal Year 2019-2020 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to appropriate \$89,777 for the Crime Lab Enhancement Project. Related to Council item 24.

Sponsors: Safety

## **Public Health**

26. Authorize negotiation and execution of Amendment No. 6 with The Salvation Army, Georgia Corporation, for shelter operations and modifications at the Downtown Shelter and Social Service Center, increasing grant funding in an amount not to exceed \$108,000 for a total agreement amount not to exceed \$1,446,912.

Sponsors: Economic Opportunity and Affordability

27. Authorize negotiation and execution of amendments to contracts for the provision of HIV-related medical and support services for the Ryan White Part A Program , to increase funding for a 12-month term beginning March 1, 2020 with the following subrecipient-providers: AIDS Services of Austin, Inc. in an amount not to exceed \$1,890,232, for a total contract amount not to exceed \$7,056,428; Austin Travis County Mental Health Mental Retardation Center dba Integral Care in an amount not to exceed \$417,314, for a total contract amount not to exceed \$1,581,838; Community Action Inc. of Central Texas in an amount not to exceed \$66,587, for a total contract amount not to exceed \$239,601; Central Texas Community Health Centers in an amount not to exceed \$1,999,524, for a total contract amount not to exceed \$7,635,851; Project Transitions Inc. in an amount not to exceed \$152,331, for a total contract amount not to exceed \$622,445; Waterloo Counseling Center in an amount not to exceed \$63,093, for a total contract amount not to exceed \$389,235; and Wright House Wellness Center in an amount not to exceed \$360,257, for a total contract amount not to exceed \$1,400,094.

Sponsors: Health and Environment

## **Public Works**

28. Authorize negotiation and execution of an Advance Funding Agreement with Texas Department of Transportation for the relocation of existing utility lines in conflict with the Oak Hill Parkway Improvements Project, for a total amount not to exceed \$24,772,144.03.

Sponsors: Mobility

## Purchasing Office

29. Authorize award of a multi-term contract with Core and Main, L.P., to provide polyvinyl chloride wastewater line fittings, for up to five years for a total contract amount not to exceed \$1,378,000.

(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).

Sponsors: Government That Works for All

30. Authorize negotiation and execution of a ten-year multi-term contract with Aclara Technologies, LLC to provide an Advanced Meter Infrastructure system; a five-year multi-term contract with Aclara Technologies, LLC to provide AMI meters, meter installation, a data platform and integration; and a five-year multi-term contract with Watersmart Software, Inc. to provide a customer portal; for total contract amounts not to exceed \$95,000,000 divided between 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 and subcontractor goals were applied to the solicitation. Subcontractor goals were exceeded and the resulting contracts will include 18.84% MBE and 32.41% WBE for the advanced meter infrastructure category and 32.41% MBE/WBE combined participation for the meter installation category).

Sponsors: Government That Works for All

31. Authorize an amendment to the existing contract with West Monroe Partners LLC, for continued consulting services to assist in the next phases of advanced meter infrastructure program management, for an increase in the amount of \$6,355,000, for a revised contract amount not to exceed \$8,456,000.

(Note: This contract was awarded in compliance with City Chapter 2-9C Minority Owned and Women Owned Business Enterprise Program. Current participation to date is 12.20% MBE and 1.88% WBE).

Sponsors: Government That Works for All

32. Authorize award of four multi-term contracts with Delta Fire & Safety D/B/A Delta Industrial Service & Supply; Metro Fire Apparatus Specialist Inc.; Municipal Emergency Services Inc.; and Safeware Inc.; for operations support and rescue equipment, each for up to five years for total amounts not to exceed \$2,238,010, divided among the contractors.

(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).

Sponsors: Safety



33. Authorize negotiation and execution of a multi-term contract with Texan Waste Equipment, Inc. D/B/A Heil of Texas, to provide parts and repair services for refuse collection truck bodies, for up to five years for a total contract amount not to exceed \$4,420,625.

(Note: Sole source contracts are exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

Sponsors: Government That Works for All

34. Authorize negotiation and execution of a multi-term contract with Emancipet, Inc., to provide mobile animal sterilization and other animal related services to residents in Austin and Travis County, for up to five years for a total contract amount not to exceed \$5,600,000.

(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 insufficient subcontracting opportunities; therefore, no subcontracting goals were established).

Sponsors: Health and Environment

35. Authorize negotiation and execution of two multi-term contracts with Howroyd-Wright Employment Agency Inc. D/B/A AppleOne Employment Services and St. Vincent DePaul Rehabilitation Service of Texas, Inc. D/B/A Peak Performers, to provide temporary staffing services, each for up to five years for total contract amounts not to exceed \$7,500,000, divided between 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).

Sponsors: Government That Works for All

36. Authorize negotiation and execution of a multi-term contract with International Training Consortium, Inc., to provide citywide training on implicit bias, for up to two years for a total contract amount not to exceed \$900,000.

(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. However, the recommended contractor identified subcontracting opportunities).

Sponsors: Government That Works for All

37. Authorize negotiation and execution of an emergency multi-term contract with Waste Management of Texas Inc., to provide collection, transportation, processing, and disposal of refuse, recycling, brush, and compostable materials generated by City facilities, for up to one year in an amount not to exceed \$1,068,000.

(Note: Contract is exempt from the City Code Chapter 2-9C Minority Owned and Women

Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

**Sponsors:** Health and Environment

38. Authorize negotiation and execution of a multi-term contract with Woody Harrison D/B/A Friendly Universe Inc., LLC D/B/A Woody Harrison Films, to provide videography services, for up to five years for a total contract amount not to exceed \$675,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established).

**Sponsors:** Government That Works for All

### **Small and Minority Business Resources**

39. Approve an ordinance amending City Code Chapters 2-9A, 2-9B, 2-9C, and 2-9D extending the sunset date of the Minority-Owned and Women-Owned Business Enterprise Procurement Program.

**Sponsors:** Economic Opportunity and Affordability

### **Transportation**

40. Approve negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority to purchase transit passes in an amount not to exceed \$700,000 for use in a pilot program to increase transit ridership.

**Sponsors:** Mobility, and Economic Opportunity and Affordability

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

41. 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.

42. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the 13th Annual St. James Missions 5K Run/Walk for Alzheimer's, sponsored by St. James Missionary Baptist Church, to be held on Saturday, March 28, 2020 at St. James Missionary Baptist Church.

**Sponsors:** Council Member Natasha Harper-Madison, Council Member Alison Alter, Council Member Kathie Tovo, and Council Member Paige Ellis

43. Approve an ordinance waiving or reimbursing certain fees for the Austin Chinese Culture Festival 2020, sponsored by the Austin Chinese-American Network, that was held on Saturday, February 15, 2020 at Westwood High School.

**Sponsors:** Council Member Jimmy Flannigan, Council Member Gregorio Casar, Council Member Alison Alter, Mayor Steve Adler, and Mayor Pro Tem Delia Garza

44. Approve a resolution directing the City Manager to implement certain recommendations of the South Central Waterfront Vision Framework Plan.

**Sponsors:** Council Member Kathie Tovo, Mayor Steve Adler, Council Member Ann Kitchen, and Council Member Alison Alter

45. Approve a resolution directing the City Manager to create an urban trails stakeholder group to examine and make recommendations on how to improve the administrative processes and requirements associated with the design and permitting of urban trails.

**Sponsors:** Council Member Paige Ellis, Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Sabino "Pio" Renteria, and Council Member Ann Kitchen

46. Approve a resolution directing the City Manager to explore options to procure a temporary vendor through an expedited process to oversee the repairs and operations of the Zilker Park train ride.

**Sponsors:** Council Member Paige Ellis, Mayor Steve Adler, Council Member Leslie Pool, and Council Member Ann Kitchen

47. Adopt a resolution requesting Texas Gas Service to provide a feasibility study regarding use of biomethane and measures to reduce natural gas leaks.

**Sponsors:** Council Member Alison Alter, Council Member Gregorio Casar, Council Member Paige Ellis, Council Member Natasha Harper-Madison, and Council Member Leslie Pool

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

48. Set a public hearing to consider an ordinance relating to the 2015 International Wildland-Urban Interface. (Suggested date: March 26, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX).

**Sponsors:** Safety

49. Set a public hearing to consider an ordinance regarding floodplain variances to convert a vacant portion of a building into a parking area at 1000 N. Lamar Blvd. that is within the 25-year and 100-year floodplains of Shoal Creek. (Suggested date: March 12, 2020, at Austin City Hall, 301 W. Second Street, Austin, Texas)

**Sponsors:** Safety

**District(s):** District 9

50. Set a public hearing to consider an ordinance repealing and replacing Article 4 of City Code Chapter 25-12 to adopt the 2020 National Electrical Code and local amendments. (Suggested date: Thursday, April 9, 2020, at Austin City Hall, 301 W. Second Street, Austin, Texas)

**Sponsors:** Government That Works for All, and Safety

51. Set a public hearing related to an application by Grand Avenue Flats Ltd., or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Grand Avenue Flats, located at or near the Northeast Corner of FM 1325 and Tandem Road in Austin, Texas, within the City's extraterritorial jurisdiction (Suggested date: Thursday, March 12, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas).

**Sponsors:** Economic Opportunity and Affordability

52. Set a public hearing to consider an application by Cascades at Onion Creek Apartments, L.P., or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Cascades at Onion Creek Apartments,

located at or near Lot 2, Block U, Cascades at Onion Creek West, Phase One, within the city limits (Suggested date: Thursday, March 12, 2020, Austin City Hall, 301 W. 2nd Street, Austin, Texas).

**Sponsors:** Economic Opportunity and Affordability

**District(s):** District 5

53. Set a public hearing to consider an ordinance approving a Project Consent Agreement waiving or modifying provisions of City Code Title 25, including Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative), to allow construction of a mixed-use residential project at 17415 Southwest Parkway in the East Oak Hill Neighborhood Planning Area. This action concerns land located in the Barton Springs zone. (Suggested date March 12, 2020, at Austin City Hall, 301 West Second Street, Austin, TX.)

**Sponsors:** Health and Environment

**District(s):** District 8

## **Non-Consent**

### **Austin Housing and Finance Corporation Meeting**

54. 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 <http://austintexas.gov/department/city-council/2020/20200220-ahfc.htm>)

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

55. Conduct a public hearing and consider an ordinance adopting local standards of care for the City of Austin Parks and Recreation Department's Youth Programs.
56. Conduct a public hearing and consider an ordinance amending various sections of City Code Title 25 (Land Development) to waive fees for neighborhood plan amendment applications for SMART Housing projects and plan amendment applications initiated by neighborhood plan contact teams.

### **Executive Session**

57. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
58. Discuss real estate and legal matters related to the purchase, exchange, lease or value of an interest in real property and improvements commonly known as the Palm School, located at 100 North IH-35 in Austin, Texas 78701 (Real property -Section 551.072 of the Government Code and Private consultation with legal counsel -Section 551.071 of the Government Code).
59. Discuss legal issues related to Zaatari et al v. City of Austin et al, Cause No. D-1-GN-65-002620 in the 53rd Judicial District of Travis County, Texas; No. 03-17-00812-CV in the Third Court of Appeals, Travis County, Texas (Private consultation with legal counsel-Section 551.071 of the Government Code).

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

60. NPA-2017-0018.01 -2106 Payne - Approve second and third readings of an ordinance amending Ordinance No. 20040513-30 the Brentwood/Highland 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 2106 Payne Avenue (Shoal Creek Watershed) from Single Family to Mixed Use/Office land use. First Reading approved on January 23, 2020. Vote 9-0. Mayor Adler absent. Council Member Flannigan off the dais. Owner/Applicant: Arch Properties, Inc. Trustee. Agent: Daniel McFarland. City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 7

61. C14-2019-0053 - 2106 Payne - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2106 Payne Avenue (Shoal Creek Watershed). Applicant Request: To rezone from family residence - neighborhood plan (SF-3-NP) combining district zoning to neighborhood office - mixed use - neighborhood plan (NO-MU-NP) combining district zoning. First Reading approved on January 23, 2020. Vote 9-0. Mayor Adler absent. Council Member Flannigan off the dais. Owner/Applicant: ARCH Properties (Daniel McFarland). City Staff: Kate Clark, 512-974-1237.

District(s): District 7

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

62. C14-2019-0152-Castle East-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1109 West 11th Street (Shoal Creek Watershed). Applicant Request: To rezone from multifamily residence high density-conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning to multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation: To grant multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: East Castle Holdings, LLC (Victor Ayad). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Mark Graham, 512-974-3574.

District(s): District 9

63. C14-2019-0151-The Colorfield - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1006 Baylor Street (Shoal Creek Watershed). Applicant Request: To rezone from multifamily residence high density-conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning to multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation: To grant multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Owner/Applicant: Colorfield, LLC (Bryan Cumby). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Mark Graham, 512-974-3574.

District(s): District 9

64. C14-2019-0153-Old Koenig V Rezone- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 900 Old Koenig Lane (Shoal Creek Watershed; Waller Creek Watershed). Applicant Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP). Owner/Applicant: HMZ Holdings LLC (Zaid Hakkak). Agent: Land Answers, Inc. (Jim Witliff). City Staff: Mark Graham, 512-974-3574.

District(s): District 7

65. C14-2019-0156-707 Rio Grande Street- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 707 Rio Grande Street (Shoal Creek Watershed). Applicant Request: To rezone from general office (GO) district zoning to downtown mixed use-conditional use (DMU-CO) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant downtown mixed use-conditional use (DMU-CO) combining district zoning. Owner/Applicant Rio Grande Street Partners, LP (Diana G. Zuniga). Agent: Jackson Walker LLP (Pam Madere). City Staff: Mark Graham, 512-974-3574.

District(s): District 9

66. C14-2019-0163-Medical Offices- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3405 Glenview Avenue (Shoal Creek Watershed). Applicant Request: To rezone from neighborhood office-neighborhood plan (NO-NP) combining district zoning to limited office-neighborhood plan (LO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Owner/Applicant: Alchemy Wellness Building, LLC (Saima Jehangir). Agent: Carlson Law, PLLC (Michelle Carlson). City Staff: Mark Graham, 512-974-3574.

District(s): District 10

67. C14-2019-0165 - 6207 Ross Road - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6207 Ross Road (Dry Creek East Watershed). Applicant Request: To rezone from single-family residence small lot (SF-4A) district zoning to multifamily residence moderate-high density (MF-4) district zoning for Tract 1 and neighborhood commercial-mixed use (LR-MU) combining district zoning for Tract 2. Staff Recommendation: To grant multifamily residence medium density (MF-3) district zoning for Tract 1 and neighborhood commercial-mixed use (LR-MU) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant multifamily residence moderate-high density (MF-4) district zoning for Tract 1 and neighborhood commercial-mixed use (LR-MU) combining district for Tract 2. Owner: Webhe Properties (Najib Webhe). Applicant: South Llano Strategies (Glen Coleman). City Staff: Kate Clark, 512-974-1237.

District(s): District 2

68. C14-2019-0168 - Moore's Crossing Mixed Use/Live Work - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7012

Elroy Road (Dry Creek East Watershed). Applicant Request: To rezone from community commercial (GR) and community commercial - conditional overlay (GR-CO) combining district zoning to community commercial - mixed used (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial - mixed use - conditional overlay (GR-MU-CO) combining district zoning. Planning Commission Recommendation: To be reviewed on February 11, 2020. Owner: SR Development, Inc. (William Gurasich). Applicant: Alice Glasco Consulting (Alice Glasco). City Staff: Kate Clark, 512-974-1237.

District(s): District 2

69. NPA-2019-0012.02 - 3201 & 3203 Merrie Lynn Avenue, - Conduct a public hearing and approve an ordinance amending Ordinance No. 20020801-91, 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 2804 Manor Road (formerly 3201 Merrie Lynn Avenue) and 3203 Merrie Lynn Avenue (Boggy Creek Watershed) from Multifamily to Mixed Use/Office land use. Staff recommendation and Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: 3201 Merrie Lynn, LLC and David Bills. Agent: Drenner Group (Amanda Swor). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 9

70. C14-2019-0106 - 3201 and 3203 Merrie Lynn - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2804 Manor Road (formerly 3201 Merrie Lynn Avenue) and 3203 Merrie Lynn Avenue (Boggy Creek Watershed) from multifamily residence moderate high density-neighborhood plan (MF-4-NP) combining district zoning to limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Owner/Applicant: 3201 Merrie Lynn LLC. Agent: Drenner Group PC (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 9

71. 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 Single Family and Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on March 24, 2020. Owner/Applicant: Belco Equities, Inc. Agent: Coats Rose, P.C. (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 3

72. C14-2019-0137 - Delwau Campgrounds- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7715 Delwau Lane (Colorado River Watershed). Applicant Request: To rezone from single family residence standard lot (SF-2) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay

(CS-MU-CO) combining district zoning, with conditions. Owner/Applicant: Delwau LLC (Noah Zimmerman). Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

73. C14-2019-0160 - Limerick Avenue Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12411 Limerick Avenue (Walnut Creek Watershed). Applicant Request: To rezone from single-family residence-large lot (SF-1) district zoning to neighborhood office (NO) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant neighborhood office-mixed use (NO-MU) combining district zoning. Owner: Wanda Harris. Agent: PLACE Designers, Inc. (Vincent Shaw). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

74. C14-2019-0159 - Arboretum Lot 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9401 Arboretum Boulevard (Bull Creek Watershed). Applicant Request: To rezone from community commercial (GR) district zoning, general commercial services (CS) district zoning and commercial-liquor sales (CS-1) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use combining (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on February 18, 2020. Owner: GF-ARB C, Ltd. % Live Oak Gottesman. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057, 512-974-3057.

District(s): District 10

75. NPA-2019-0021.02 - 6101 E. Oltorf Street -To approve an ordinance amending Ordinance No. 20061116-055, the East Riverside/Oltorf 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 6101 E. Oltorf Street (portion of) (Carson Creek Watershed) from Industry to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on February 11, 2020. Applicant/Owner: 2009 TRCB, LP, a Texas Limited partnership. Agent: Armbrust & Brown, PLLC (Ferris Clements). Staff: Maureen Meredith (512) 974-2695.

District(s): District 3

76. C14-2019-0110 - 6106 E. Oltorf Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6101 E. Oltorf Street (Carson Creek Watershed). Applicant Request: To rezone from limited industrial services - conditional overlay - neighborhood plan (LI-CO-NP) combining district zoning to limited industrial services - planned development area - neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation: pending. Planning Commission Recommendation: To be reviewed on February 11, 2020. Owner: 2009 TRCB, LP, a Texas Limited Partnership (Brad Gates). Applicant: Ambrust & Brown (Richard S. Suttle Jr.). City Staff: Kate Clark, 512-974-1237.

District(s): District 3

77. C814-2018-0154 - Austin Green PUD - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 11600-12337 Harold Green



Road (Elm Creek Watershed; Colorado River Watershed). Applicant's Request: To zone from unzoned to planned unit development (PUD) district zoning. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. Staff Recommendation: To grant planned unit development (PUD) district zoning, with conditions. Planning Commission Recommendation: To be reviewed on February 25, 2020. Owner and Applicant: Martin Marietta Materials, Inc. (Kate Glaze). City Staff: Wendy Rhoades, 512-974-7719.

**District(s):**

District 2

## Consent Agenda

### Development Services

78. Authorize negotiation and execution of the Fourth Amendment to the Brackenridge Development Agreement regarding property located near the intersection of Lake Austin Boulevard and Exposition Boulevard with the Board of Regents of the University of Texas System to extend the term of the Agreement beyond the current May 25, 2020 termination date on a month to month basis.

Sponsors: Government That Works for All

79. Authorize negotiation and execution of the Fifth Amendment to the Lease Agreement for the Lions Municipal Golf Course located near the intersection of Lake Austin Boulevard and Exposition Boulevard with the Board of Regents of the University of Texas System to extend the term of the Lease beyond the current May 25, 2020 termination date on a month to month basis.

Sponsors: Government That Works for All

### Public Health

80. Approve an ordinance amending City Code Title 10 (Public Health Services and Sanitation) relating to the lawful age for the sale or delivery of cigarettes, tobacco products, or electronic smoking devices in compliance with Federal law.

Sponsors: Health and Environment

### Item(s) from Council

81. Approve an ordinance vacating an approximately 572 square foot tract of right-of-way of the alley abutting 809 East 9th Street to the Guadalupe Neighborhood Development Corporation, waiving Section 14-11-75 of the city code as it relates to vacating the right-of-way, and conveying the vacated right-of-way for \$0.00.

Sponsors: Council Member Natasha Harper-Madison, Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Sabino "Pio" Renteria, and Council Member Leslie Pool

82. Approve a resolution appointing Phillip Schmandt, Jolsna Thomas, and Sherri Greenberg to the Board of Directors of Austin Convention Enterprises, Inc.

Sponsors: Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Mayor Steve Adler, and Council Member Sabino "Pio" Renteria

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

83. Set a public hearing to consider an ordinance approving a Project Consent Agreement waiving or modifying provisions of City Code Title 25, including Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative), to allow construction of a mixed-use residential project at 7415 Southwest Parkway in the East Oak Hill Neighborhood Planning Area. This action concerns land located in the Barton Springs zone. (Suggested date March 12, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX.)

Sponsors: Health and Environment

## **Non-Consent**

### **Executive Session**

- 84.** Discuss real estate and legal matters related to the purchase, exchange, lease, or value of real property locally known as the Lions Municipal Golf Course, generally located at the intersection of Lake Austin Boulevard and Exposition Boulevard (Real property - Section 551.072 of the Government Code and Private consultation with legal counsel - Section 551.071 of the Government Code).

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

- 85.** Conduct a public hearing and consider an ordinance amending City Code Title 25 (Land Development) to create the Central Health Overlay district within the Downtown Austin Plan District Map.

*Sponsors:* Economic Opportunity and Affordability