



**Thursday, April 9, 2020**

The City Council will convene at 10:00 AM on  
Thursday, April 9, 2020 via Videoconference  
<http://www.austintexas.gov/page/watch-atxn-live>



Mayor Steve Adler  
Mayor Pro Tem Delia Garza, District 2  
Council Member Natasha Harper-Madison, District 1  
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 Paige Ellis, District 8  
Council Member Kathie Tovo, District 9  
Council Member Alison Alter, District 10

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

*Instructions for public testimony will posted with the addendum.*

*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.**

**10:00 AM – City Council Convenes**

## **Consent Agenda**

### **Approval of Minutes**

1. Approve the minutes of the Austin City Council discussion of March 9, 2020, work session of March 10, 2020, regular meeting of March 12, 2020, and regular meeting of March 26, 2020.

### **Convention Center**

2. Authorize the negotiation and execution of an interlocal agreement with the Austin Independent School District (AISD), for the use of the Palmer Events Center at no charge in exchange for the City's use of AISD services, with the value of the exchange not to exceed \$35,000 per term, for an initial contract term ending September 30, 2020, and with four 12-month renewal options.

**Strategic Outcome(s):** Government that Works for All.

### **Economic Development Department**

3. Amend a contract with MJR Partners for consulting services to guide the review and evaluation of the Cultural Funding Program in the amount of \$50,000 for a total amount not to exceed \$95,000.

**Strategic Outcome(s):** Culture and Lifelong Learning.

### **Law**

4. Approve a settlement in City of Austin v. Billy Jo Figer et al, Cause No. C-1-CV-18-002185 in Probate Court No. 1 of Travis County, Texas.

**Strategic Outcome(s):** Government that Works for All.

5. Approve a settlement in City of Austin v. SAFA Trading Establishment Inc., Cause No. C-1-CV-15-003281 in County Court at Law No. 1 of Travis County, Texas.

**Strategic Outcome(s):** Government that Works for All.

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

6. Approve an ordinance amending the Fiscal Year 2019-2020 Neighborhood Housing and Community Development Department's Operating Budget (Ordinance No. 20190910-001) to increase the beginning balance by \$500,000 and appropriate and increase expenditures by \$500,000 within the Neighborhood Housing University Neighborhood Overlay Fund for housing

programs.

**Strategic Outcome(s):** Economic Opportunity and Affordability.

## **Planning and Zoning**

7. Approve a resolution appointing Samantha Rosenberg to the Board of Directors of the Austin Green Municipal Utility District, as provided for in the MUD's enabling legislation and consent agreement with the City of Austin.  
**Strategic Outcome(s):** Government that Works for All.
8. Approve an ordinance amending City Code Chapter 11-1 to remove the requirement for the City to submit an annual Letter of Verification for the historic tax abatement to the Travis Central Appraisal District.  
**Strategic Outcome(s):** Economic Opportunity and Affordability
9. 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 to change uses and impose certain conditions. This action concerns land located within the Barton Springs Zone.  
**Strategic Outcome(s):** Government that Works for All.

## **Police**

10. Authorize execution of an amendment to the interlocal agreement for the Austin Regional Intelligence Center to include the following agencies as new partners: the City of Lakeway on behalf of its Police Department, the City of Westlake on behalf of its Police Department, the City of Bee Cave on behalf of its Police Department, Hutto Independent School District on behalf of its Police Department, and the City of Elgin on behalf of its Police Department.  
**Strategic Outcome(s):** Safety.
11. Authorize execution of separate agreements with St. Edwards University and Concordia University that establish each as a new partner in the Austin Regional Intelligence Center (ARIC), as permitted by the existing interlocal agreements with the governmental agencies that are partners in ARIC.  
**Strategic Outcome(s):** Safety.
12. Authorize execution of an amendment to the interlocal agreement for the Austin Regional Intelligence Center (ARIC) to include the following agencies as new partner agencies in the funding mechanism established to sustain the operations of ARIC: the City of Lakeway on behalf of its Police Department, City of Westlake on behalf of its Police Department, the City of Bee Cave on behalf of its Police Department, Hutto Independent School District on behalf of its Police Department, and the City of Elgin on behalf of its Police Department.  
**Strategic Outcome(s):** Safety.
13. Approve an ordinance amending the Fiscal Year 2019-2020 Police Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) authorizing 1.0 full-time equivalent grant position funded from the State of Texas, Office of the Governor, Criminal Justice Division, Victims of Crime Act Program.  
**Strategic Outcome(s):** Safety.

14. Approve an ordinance amending the Fiscal Year 2019-2020 Police Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) authorizing 1.0 full-time equivalent grant position funded from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance through the Byrne Criminal Justice Innovation Program.  
Strategic Outcome(s): Safety.
15. Approve an ordinance amending the Fiscal Year 2019-2020 Police Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) authorizing 1.0 full-time equivalent grant position funded from the State of Texas, Office of the Governor, Criminal Justice Division, Victims of Crime Act Critical Incident Stress Debriefing Program.  
Strategic Outcome(s): Safety.

## **Public Health**

16. Authorize ratification of an interlocal agreement executed with The University of Texas at Austin-Dell Medical School, and other state institutions, to share data, manage and monitor individuals, trace contacts, model data, and make recommendations for the purpose of understanding, responding to, and mitigating the spread of COVID-19 at no cost to the City.  
Strategic Outcome(s): Safety.

## **Purchasing Office**

17. Authorize award of a multi-term contract with Texas Disposal Systems, Inc., to provide residential dumpster collection services, for up to five years for a total contract amount not to exceed \$2,100,000.

(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).

Strategic Outcome(s): Health and Environment.

18. Authorize an amendment to an existing contract with Marsh USA, Inc. D/B/A Marsh USA, for continued administration services for the Rolling Owner Controlled Insurance Program VII, for an increase in the amount of \$355,000, for a revised contract amount not to exceed \$1,856,074.

(Note: This contract 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 contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government that Works for All.

19. Authorize an amendment to an existing contract with Safety Solutions, Inc., to provide continued construction safety management services associated with the Rolling Owner Controlled Insurance Program VII, for an increase in the amount of \$118,950, for a revised contract amount not to exceed \$375,550.

(Note: This contract 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 contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**Strategic Outcome(s):** Government that Works for All.

20. Authorize an amendment to an existing contract with Liberty Mutual Insurance Company D/B/A Liberty Mutual Insurance, for the continued payment of insurance premiums to the Rolling Owner Controlled Insurance Program VII, for an increase in the amount of \$3,128,579, for a revised contract amount not to exceed \$8,400,064.

(Note: This contract 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 contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**Strategic Outcome(s):** Government that Works for All.

21. Authorize ratification of an emergency contract with Action Target Inc., for emergency repair of the large gun range including replacement parts, in the amount of \$118,170.

(Note: This 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).

**Strategic Outcome(s):** Safety.

22. Approve ratification of an amendment to an existing contract with WorkQuest, for emergency cleaning services in the amount of \$100,803; and authorize an amendment to an existing contract with WorkQuest, to provide continued cleaning services for overpasses, under bridges and in the transportation right of way, for an increase in an amount of \$1,800,000 and to increase the term by three years, for a revised contract amount not to exceed \$2,290,803.

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

**Strategic Outcome(s):** Government that Works for All; Health and Environment.

## **Telecommunications and Regulatory Affairs**

23. Approve an ordinance suspending a Gas Reliability Infrastructure Program interim rate adjustment proposed by Atmos Energy - Mid-Tex Division.

**Strategic Outcome(s):** Economic Opportunity and Affordability.

## **Transportation**

24. Approve on first reading an ordinance extending a franchise to ATX Coop Taxi to operate a

taxicab service in the City of Austin for five years.

**Strategic Outcome(s):** Mobility; Economic Opportunity and Affordability.

25. Approve on first reading an ordinance granting a franchise to Central City Taxi to operate a taxicab service in the City of Austin for five years.

**Strategic Outcome(s):** Mobility; Economic Opportunity and Affordability.

26. Approve on first reading an ordinance extending a franchise to ABCABCO, INC. D.B.A. Lone Star Cab Company to operate a taxicab service in the City of Austin for five years.

**Strategic Outcome(s):** Mobility; Economic Opportunity and Affordability.

27. Approve on first reading an ordinance granting a franchise to Longhorn Taxicab Company to operate a taxicab service in the City of Austin for five years.

**Strategic Outcome(s):** Mobility; Economic Opportunity and Affordability.

28. Approve on first reading an ordinance extending a franchise to Greater Austin Transportation Company D.B.A. Yellow Cab Company to operate a taxicab service in the City of Austin for five years.

**Strategic Outcome(s):** Mobility; Economic Opportunity and Affordability

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

29. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws.

30. Approve a resolution related to magistration services provided by Austin Municipal Court judges, and reforms to end wealth-based detention and improve equity in the Travis County justice system.

**Sponsors:** Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Council Member Jimmy Flannigan, and Council Member Natasha Harper-Madison

31. Approve a resolution initiating amendments to the regulating plan for the North Burnet Gateway area relating to floor-to-area ratio and subdistricts, and directing the City Manager to process the amendments.

**Sponsors:** Council Member Leslie Pool, Council Member Alison Alter, Council Member Gregorio Casar, and Council Member Ann Kitchen

32. Approve a resolution relating to the creation of loan and tax abatement programs for the construction of accessory dwelling units.

**Sponsors:** Council Member Kathie Tovo, Mayor Pro Tem Delia Garza, Council Member Ann Kitchen, Council Member Leslie Pool, and Council Member Alison Alter

33. Approve a resolution relating to assistance for and protections of customers of financial institutions.

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

#### **Non-Consent**

## **Eminent Domain**

34. Approve a resolution authorizing the filing of eminent domain proceedings for the Spicewood Springs Road Mobility Improvements Project for the right-of-way acquisition of approximately 0.0181 of an acre of land (approx. 789 square feet), being out of and a portion of the James M. Mitchell Survey No. 17, Abstract No. 521, in Travis County, Texas, same being a portion of that certain tract described in Document No. 2000017269 of the Official Public Records of Travis County, Texas and conveyed to Laszlo Herczeg in a General Warranty Deed dated November 21, 2008, recorded in Document No. 2008169731 of the said Official Public Records in the amount of \$2,904, for the public use of a mobility improvements project to address congestion and enhance mobility and safety for the public. The owner of the needed property is Laszlo Herczeg. The property is located entirely within District 10, at 5003 Spicewood Springs Road, Austin, Texas 78759. The general route of the project is located within the Austin city limits and is oriented east-west as Spicewood Springs connects with Loop 360 and Loop 1. The project area limits are approximately 4,000 feet of Spicewood Springs Road from Loop 360 to Mesa Drive, in Austin, Travis County, Texas.

Strategic Outcome(s): Mobility.

District(s): District 10

## **10:30 AM - Austin Housing and Finance Corporation Meeting**

35. 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/departments/city-council/2020/20200409-ahfc.htm>).

## **Public Hearings and Possible Actions**

36. Conduct a public hearing and consider a request for a waiver from the 300 foot minimum separation distance required by City Code Chapter 4-9, Section 4(A) between a business selling alcoholic beverages and a public school from Neighborhood Goods, a proposed retail store with accessory restaurant use at 1007 S. Congress Avenue, situated on property that is within 300 feet of the Texas School for the Deaf, a public school located at 1102 S. Congress Avenue.
- District(s): District 9
37. Conduct a public hearing and consider an ordinance repealing and replacing Article 4 of City Code Chapter 25-12 to adopt the 2020 National Electrical Code and local amendments.
38. Conduct a public hearing and consider an ordinance concerning a change to gas rates proposed by Texas Gas Service Company.
39. Conduct a public hearing and consider a resolution for an application by ECG Wildhorse, LP, 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 Wildhorse Flats, located at or near the southeast corner of Highway 290 and Highway 130 in the Wildhorse Public Improvement District, within the City.

**District(s):** District 1

40. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-12 (Technical Codes) to adopt and amend the 2015 International Wildland-Urban Interface Code.
41. Conduct a public hearing and consider an ordinance amending City Code Section 25-13-45 relating to compatible residential uses in Airport Overlay Zone Three (AO3).

#### **Executive Session**

42. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
43. Discuss legal issues related to Acuna et al v. City of Austin et al, Cause No. D-1-GN-19-008617, in the 201st District Court, Travis County, Texas (Private consultation with legal counsel-Section 551.071 of the Government Code).
44. Discuss legal issues related to line of duty leave under the Texas Local Government Code (private consultation with legal counsel - Section 551.071 of the Government Code).

#### **2:00 PM - Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

45. C14-2019-0153-Old Koenig V Rezone - Approve second and third readings of 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 zoning to general commercial services-mixed use-vertical mixed-use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. First Reading approved on February 20, 2020. Vote 11-0. Owner/Applicant: HMZ Holdings LLC (Zaid Hakkak). Agent: Land Answers, Inc. (Jim Witliff). City Staff: Mark Graham, 512-974-3574.

**District(s):** District 7

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

46. 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 (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on April 7, 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

47. C14-2020-0010 FM 969 Retail Center - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6401 FM 969 Road (Walnut



Creek Watershed) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Planning Commission Recommendation: Applicant Indefinite postponement. Owner/Applicant: 6401 E FM 969 LLC (Najib Wehbe). Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122.

**District(s):** District 1

48. 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: Pending. Owner/Applicant: Belco Equities, Inc. Agent: Coats Rose, P.C. (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695.

**District(s):** District 3

49. C14-2019-0167 - 4530 E. Ben White Blvd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4530 E. Ben White Blvd (Country Club West Watershed). Applicant Request: To rezone from single family residence - standard lot - neighborhood plan (SF-2-NP) combining district zoning and general commercial services - conditional overlay - neighborhood plan (CS-CO-NP) combining district zoning to general commercial services - mixed use - conditional overlay - neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To deny general commercial services - mixed use - conditional overlay - neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: Pending. Owner: 4539 East Ben White Associates LLC (Trevor Belton). Applicant: Coats Rose (John Joseph). City Staff: Kate Clark, 512-974-1237.

**District(s):** District 3

50. 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: Pending. 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

51. C14-2019-0110 - 6101 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) to limited industrial services - planned development area - neighborhood plan (LI-PDA-NP). Staff Recommendation: pending. Planning Commission Recommendation: Pending. Owner: 2009 TRCB, LP (Brad Gates). Applicant: Ambrust & Brown

(Richard S. Suttle Jr.). City Staff: Kate Clark, 512-974-1237.

District(s): District 3

52. C14-2020-0008 - South Congress Multifamily - Conduct a public hearing and approve an ordinance amending City Code Title 25-by rezoning property locally known as 4302 South Congress Avenue (Williamson Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning, with conditions. Owner: Lampros Moumouris. Agent: Rivera Engineering (Michael A. Rivera). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 3

53. C14-2019-0129 - 10801 Wayne Riddell Loop - Conduct a public hearing and approve an ordinance amending City Code Title 25-2by zoning property locally known as 10801 Wayne Riddell Loop (Slaughter Creek Watershed; Onion Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To be reviewed on April 7, 2020. Owner/Applicant: Riddell Family Limited Partnership (James A. Henry). Agent: Smith Robertson, L.L.P. (David Hartman). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

54. C14-2019-0155 - 4011 Convict Hill Rezoning - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4011 Convict Hill Road (Williamson Creek Watershed-Barton Springs Zone). Applicant's Request: To rezone single family residence-standard lot (SF-2) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning, with conditions. First Reading approved on March 12, 2020. Vote: 8-1, Council Member Flannigan voted nay. Mayor Adler and Council Member Harper-Madison were off the dais. Owner: Devch, L.P. (Rick Anderson). Agent: LOC Consultants (Sergio Lozano, P.E.). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 8

55. C14-2020-0007 - 2001 Guadalupe Street Zoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2001 Guadalupe Street (Shoal Creek Watershed). Applicant Request: To rezone from general commercial services - neighborhood plan (CS-NP) combining district zoning to general commercial services - mixed use - neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To grant general commercial services - mixed use - neighborhood plan (CS-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed April 14, 2020. Owner/Applicant: Powell-Corbert LLC (William Corbert). Agent: Coats-Rose (John Joseph). Staff: Mark Graham, 512-974-3574.

**District(s):** District 9

56. C14-2019-0151 - The Colorfield - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1006 Baylor Street (Shoal Creek Watershed). Applicant's Request: To rezone from multifamily residence high density-conditional overlay - neighborhood plan (MF-5-CO-NP) combining district zoning to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. First Reading approved on February 20, 2020. Vote: 10-0, Council Member Casar off the dais. Owner and Applicant: Colorfield, LLC (Bryan Cumby). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Mark Graham, 512-974-3574.

**District(s):** District 9

57. C14-2019-0137 - Delwau RV Parks - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7715 Delwau Lane (Colorado River Watershed) from single family residence standard lot (SF-2) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. First reading approved on February 20, 2020. Vote 6-2; Pool, Tovo- Nay, Kitchen, Alter- Abstain, Casar- Off the dais. Owner/Applicant: Delwau LLC (Noah Zimmerman). Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122.

**District(s):** District 1

58. NPA-2018-0005.01 - 1501 Airport Commerce Drive-Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1501 Airport Commerce Drive, (Carson Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation and Planning Commission recommendation: To deny Mixed Use land use. Owner/Applicant: W2 Hill ACP II LP; W2 Real Estate Partners. Agent: Amanda Swor; Drenner Group City Staff: Jesse Gutierrez, (512) 974-1606.

**District(s):** District 3

59. C14-2019-0029 - 1501 Airport Commerce Dr - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1501 Airport Commerce Drive (Carson Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To deny general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Owner/Applicant: W2 Hill ACP II, LP. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

**District(s):** District 3

60. C14-2020-0001 - Colton Bluff Springs Road -Conduct a public hearing and approve second and third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 6917 Colton Bluff Springs Road (Marble Creek Watershed). Applicant Request: To rezone from rural residential (RR) district, single family residence - small lot (SF-4A) district, single family

residence - small lot - conditional overlay (SF-4A-CO) combining district and neighborhood commercial - mixed use (LR-MU) combining district zoning to multifamily residence - medium density (MF-3) district zoning for Tract 1, and community commercial - mixed use (GR-MU) combining district zoning for Tract 2. First Reading approved multifamily residence - low density (MF-2) district zoning for Tract 1 and community commercial - mixed use (GR-MU) combining district zoning for Tract 2 on March 12, 2020. Vote: 7-2, Council Members Alter and Pool voted nay; Mayor Adler and Council Member Harper-Madison were off the dais. Owner: BMR Land LLC (William P. Mclean). Applicant: McClean & Howard LLP (Jeffery S. Howard). City Staff: Kate Clark, 512-974-1237.

**District(s):** District 2

## **Adjourn**

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

For assistance, please call 512-974-2210 or TTY users route through 711.

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.



# City of Austin

## Agenda

### City Council Addendum Agenda

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Thursday, April 9, 2020

10:00 AM

Via videoconference

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**Public comment will be allowed via telephone; no in-person input will be allowed. All speakers must register in advance (Wednesday, April 8 by Noon). Public comment will occur as follows:**

**For all items on the consent agenda, Austin Housing Finance Corporation agenda, Public Hearings and all non-consent items other than Zoning, public comment will be taken at 10:00 a.m.**

**For all zoning items public comment will be taken at 2:00 p.m.**

**To speak remotely at the April 9, 2020 Council Meeting, residents must:**

- Submit the online registration form found at:  
[https://cityofaustin.formstack.com/forms/austin\\_city\\_council\\_speaker\\_signup](https://cityofaustin.formstack.com/forms/austin_city_council_speaker_signup). Registration must be received by Noon on Wednesday, April 8.
- Once the registration form is received, residents will receive either an email or phone call providing the telephone number to call on Thursday.
- Speakers must call in at least 45 minutes prior the time associated with the agenda item.
- Late callers will not be accepted and will not be able to speak.
- Handouts or other information may be emailed to [City.Clerk@austintexas.gov](mailto:City.Clerk@austintexas.gov) by Noon on Wednesday. This information will be provided to Mayor and Council in advance of the meeting.
- Any speaker who speaks prior to being called upon by the Mayor will be disconnected and will not be able to rejoin the call.
- If you need Spanish Translation Services, you must email [City.Clerk@austintexas.gov](mailto:City.Clerk@austintexas.gov) at least 48 hours in advance of the meeting.
- Residents may watch the Council Meeting online at:  
<http://www.austintexas.gov/page/watch-atxn-live>

*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.**

**10:00 AM – City Council Convenes**

## **Consent Agenda**

### **Austin Resource Recovery**

61. Approve an ordinance waiving unstickered extra trash fees for the period from March 23, 2020 until the Mayor’s Stay Home - Work Safe Order No. 20200324-007 has been lifted, or until otherwise directed by City management, to encourage Austin Resource Recovery customers to stay home and to dispose of their trash in a manner that reduces the risk of nuisance conditions from trash that may be improperly disposed.

Strategic Outcome(s): Health and Environment.

### **City Clerk**

62. Approve an ordinance amending City Code Section 2-7-72 (Reports) of Chapter 2-7 (Ethics and Financial Disclosure) relating to the deadlines for filing financial disclosures.

Strategic Outcome(s): Government that Works for All.

### **Economic Development Department**

63. Approve an amendment to a contract with MJR Partners for consulting services to guide the review and evaluation of the Cultural Funding Program in the amount of \$80,000 for a total amount not to exceed \$125,000.

Strategic Outcome(s): Economic Opportunity and Affordability.

### **Law**

64. Discussion and possible action regarding Acuna et al v. City of Austin et al, Cause No. D-1-GN-19-008617, in the 201st District Court, Travis County, Texas.

Strategic Outcome(s): Government that Works for All.

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

65. Authorize the ratification of an agreement with Hotel USA Partners, LLC, for the City to occupy the real property located at 6121 N. Interstate Highway 35 for emergency housing, isolation, and support services related to COVID-19 for a 60-day term, with an option to extend for two additional 30-day terms, for an amount not to exceed \$2,804,760.00.

Strategic Outcome(s): Health and Environment.

District(s): District 4

66. Authorize the ratification of an agreement with DBG Austin South LLC, for the City to occupy the real property located at 4200 South Interstate Highway 35 for emergency housing, isolation, and support services related to COVID-19, for a 60 day term, with an option to extend for two additional 30 day terms, for an amount not to exceed \$541,800.00.  
Strategic Outcome(s): Health and Environment.  
District(s): District 3
67. Authorize the ratification of an agreement with Pleiades Hospitality, LLC, for the City to occupy the real property located at 8010 North Interstate Highway 35 for emergency housing, isolation, and support services related to COVID-19 for a 60 day term, with an option to extend for two additional 30 day terms, for an amount not to exceed \$222,500.00.  
Strategic Outcome(s): Health and Environment.  
District(s): District 4
68. Approve an ordinance amending the Fiscal Year 2019-2020 General Fund Emergency Reserve Fund (Ordinance 20190910-001) to appropriate an amount not to exceed \$2,804,760 to be used for COVID-19-related emergency housing and support services to supplement but not supplant Federal and State funding, and declaring an emergency.  
Strategic Outcome(s): Government that Works for All; Economic Opportunity and Affordability; Health and Environment.

## **Public Health**

69. Authorize execution of Amendment No. 3 to the interlocal agreement between the City, Travis County, and the Austin-Travis County Sobriety Center Local Government Corporation (LGC) for the operation and management of the Sobering Center to add a provision that permits the LGC to utilize the facility as an isolation or quarantine facility or for other related services as needed or requested during a disaster.  
Strategic Outcome(s): Economic Opportunity and Affordability.
70. Authorize negotiation and execution of an agreement with Revolution Foods to provide prepared meal distribution to the homeless community in an amount not to exceed \$400,000 for a nine-week term beginning April 1, 2020, with two four-week extension options.  
Strategic Outcome(s): Health and Environment.
71. Approve a resolution authorizing amendments to the articles of incorporation and bylaws of the Austin/Travis County Sobriety Center Local Government Corporation.  
Strategic Outcome(s): Economic Opportunity and Affordability.

## **Purchasing Office**

72. Authorize an amendment to an existing cooperative contract with Freeit Data Solutions, Inc., to provide continued hardware, software, implementation, training, maintenance, and support services required to support the Supervisory Control and Data Acquisition/Energy Management System and Advanced Distribution Management System upgrade, for an increase in the amount of \$6,453,500 for a revised total contract amount not to exceed \$11,522,180.

(Note: This contract was reviewed 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 contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**Strategic Outcome(s):** Government that Works for All.

## **Transportation**

73. Approve on first reading an ordinance renewing a franchise for ATX Coop Taxi to operate a taxicab service in the City of Austin for five years.

**Strategic Outcome(s):** Mobility; Economic Opportunity and Affordability.

74. Approve on first reading an ordinance renewing a franchise for ABCABCO, INC. D.B.A. Lone Star Cab Company to operate a taxicab service in the City of Austin for five years.

**Strategic Outcome(s):** Mobility; Economic Opportunity and Affordability.

75. Approve on first reading an ordinance renewing a franchise for Greater Austin Transportation Company D.B.A. Yellow Cab Company to operate a taxicab service in the City of Austin for five years.

**Strategic Outcome(s):** Mobility; Economic Opportunity and Affordability.

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

76. Approve a resolution condemning violence, hate speech, racism, and misinformation during the COVID-19 pandemic and expressing solidarity with Chinese and Asian Americans.

**Sponsors:** Council Member Alison Alter, Mayor Steve Adler, Council Member Gregorio Casar, Council Member Jimmy Flannigan, and Council Member Kathie Tovo

77. Approve an ordinance amending the Fiscal Year 2019-2020 General Fund Emergency Reserve Fund (Ordinance 20190910-001) to appropriate an amount not to exceed \$15,000,000 for the Relief in a State of Emergency (RISE) Fund to support COVID-19 emergency relief to supplement but not supplant Federal and State funding, and declaring an emergency.

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

78. Approve a resolution imploring the Texas Governor and the Texas Secretary of State to protect the voting rights and the public health of all Texans during the ongoing novel coronavirus pandemic by permitting voting-by-mail for all voters eligible to vote in Texas elections and directing the City Manager to send this resolution to the appropriate state leaders.

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

79. Approve a resolution relating to the expanded Family and Medical Leave Act and emergency paid sick leave coverage under the Families First Coronavirus Recovery Act for City of Austin employees.

**Sponsors:** Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Gregorio Casar, Council Member Leslie Pool, and Council Member Sabino "Pio" Renteria



80. Approve a resolution relating to funding, construction plans, and tax-related relief for accessory dwelling units.

**Sponsors:** Council Member Kathie Tovo, Mayor Pro Tem Delia Garza, Council Member Ann Kitchen, Council Member Leslie Pool, and Council Member Alison Alter

81. Approve a resolution authorizing the City Manager to negotiate and execute amendments to existing social services contracts and to negotiate and execute new emergency contracts funded from the Relief in a State of Emergency (RISE) Fund to offer immediate support services and direct financial assistance to residents impacted by the COVID-19 pandemic and economic crisis.

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

## **Non-Consent**

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

82. 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.
83. Conduct a public hearing and approve an ordinance adopting a moratorium on city utility disconnections, waiving city utility late fees, extending the deadline for commercial and multifamily energy audit and benchmark reporting, reducing certain city electric and water rates, expanding eligibility for the city utilities' customer assistance program to include individuals experiencing financial hardship due to the COVID-19 pandemic, amending the fiscal year 2019-2020 budgets of Austin Water and Austin Energy to appropriate up to \$10,000,000 for the utilities' Plus-One payment assistance programs, and declaring an emergency.

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

84. C14H-2020-0011 - Lavada Durst ("Dr. Hepcat") House. Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1906 E. 21st Street. Applicant: Historic Landmark Commission upon citizen request. Applicant's Request: To rezone 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, Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: City of Austin. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454

**District(s):** District 1

## **Adjourn**

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

For assistance, please call 512-974-2210 or TTY users route through 711.

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.



# City of Austin

## Agenda

### City Council Second Addendum Agenda

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Thursday, April 9, 2020

10:00 AM

via videoconference

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**Public comment will be allowed via telephone; no in-person input will be allowed. All speakers must register in advance (Wednesday, April 8 by Noon). Public comment will occur as follows:**

**For all items on the consent agenda, Austin Housing Finance Corporation agenda, Public Hearings and all non-consent items other than Zoning, public comment will be taken at 10:00 a.m.**

**For all zoning items public comment will be taken at 2:00 p.m.**

**To speak remotely at the April 9, 2020 Council Meeting, residents must:**

- Submit the online registration form found at:  
[https://cityofaustin.formstack.com/forms/austin\\_city\\_council\\_speaker\\_signup](https://cityofaustin.formstack.com/forms/austin_city_council_speaker_signup). Registration must be received by Noon on Wednesday, April 8.
- Once the registration form is received, residents will receive either an email or phone call providing the telephone number to call on Thursday.
- Speakers must call in at least 45 minutes prior the time associated with the agenda item
- Late callers will not be accepted and will not be able to speak.
- Handouts or other information may be emailed to [City.Clerk@austintexas.gov](mailto:City.Clerk@austintexas.gov) by Noon on Wednesday. This information will be provided to Mayor and Council in advance of the meeting
- Any speaker who speaks prior to being called upon by the Mayor will be disconnected and will not be able to rejoin the call.
- If you need Spanish Translation Services, you must email [City.Clerk@austintexas.gov](mailto:City.Clerk@austintexas.gov) at least 48 hours in advance of the meeting.
- Residents may watch the Council Meeting online at:  
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**10:00 AM – City Council Convenes**

## **Consent Agenda**

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

- 85.** Approve an ordinance amending the Fiscal Year 2019-2020 General Fund Emergency Reserve Fund (Ordinance No. 20190910-001) to appropriate an amount not to exceed \$2,804,760 for COVID-19 emergency relief; and declaring an emergency.

**Strategic Outcome(s):** Government that Works for All; Economic Opportunity and Affordability; Health and Environment.

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

- 86.** Approve a resolution related to the use of the Live Music Fund for Emergency Assistance grants for musicians.

**Sponsors:** Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Leslie Pool, and Mayor Pro Tem Delia Garza

- 87.** Approve an ordinance amending the Fiscal Year 2019-2020 General Fund Emergency Reserve Fund (Ordinance 20190910-001) to appropriate an amount not to exceed \$15,000,000 for the Relief in a State of Emergency (RISE) Fund to support COVID-19 emergency relief; and declaring an emergency.

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

## **Adjourn**

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