

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, MAY 21, 2020**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, May 21, 2020 via. Videoconference.

Mayor Pro Tem Garza called the Council Meeting to order at 10:11 a.m. Mayor Adler was off the dais.

CONSENT AGENDA

1. Approve the minutes of the Austin City Council special called of April 28, 2020, special called of May 1, 2020, work session of May 5, 2020, and regular meeting of May 7, 2020.
The motion approving the minutes of the Austin City Council special called of April 28, 2020, special called of May 1, 2020, work session of May 5, 2020, and regular meeting of May 7, 2020 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
2. Approve an ordinance amending the Fiscal Year 2019-2020 Austin Resource Recovery Department Operating and Capital Budgets (Ordinance No. 20190910-001) related to the expansion of community cleanup efforts.
This item was withdrawn on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
3. Authorize the negotiation and execution of a cost participation agreement with 5301 Decker, Ltd. for the City to reimburse the developer for an amount not to exceed \$302,100 for costs associated with the design and construction of an oversized wastewater interceptor and appurtenances related to Service Extension Request No. 3713R2 that will provide wastewater service to a proposed multi-family development located at 5301 Decker Lane. District(s) Affected: District 1.
The motion authorizing the negotiation and execution of a cost participation agreement with 5301 Decker, Ltd. was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
4. Authorize the negotiation and execution of a cost participation agreement with Pulte Group for the City to reimburse the developer for an amount not to exceed \$2,782,025 for costs associated

with the design and construction of an oversized lift station, an oversized wastewater force main, and appurtenances related to Service Extension Request No. 2986R that will provide wastewater service to a proposed mixed-use development located at 5601 Durango Pass. District(s) Affected: District 1.

The motion authorizing negotiation and execution of a cost participation agreement with Pulte Group was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

5. Authorize award and execution of a construction contract with Alpha Paving Industries, LLC (MBE), for Miscellaneous Street Rehabilitation (Asphalt Surface) Indefinite Delivery/Indefinite Quantity contract in the amount of \$4,000,000 for an initial one-year term with two, one-year extension options of \$3,000,000 each, for a total contract amount not to exceed \$10,000,000. [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 9.02% MBE and 0.78% WBE participation.]

The motion authorizing the award and execution of a construction contract with Alpha Paving Industries, LLC was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

6. Authorize negotiation and execution of an agreement with Foundation Communities to provide permanent supportive housing services for an initial fifteen-month term ending September 30, 2021, in an amount not to exceed \$285,345, with three 12-month renewal options not to exceed \$285,345 per option, for a total contract amount not to exceed \$1,141,380.

The motion authorizing negotiation and execution of an agreement with Foundation Communities was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

7. Approve a resolution to nominate Accruent 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. District(s) Affected: District 7.

Resolution No. 20200521-007 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

8. Approve a resolution authorizing the modification of the Austin Economic Injury Bridge Loan Program guidelines to align program guidelines with U.S. Department of Housing and Urban Development program approval requirements.

Resolution No. 20200521-008 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

9. Approve an ordinance amending the Fiscal Year 2019-2020 Emergency Medical Services Department Operating Budget Special Revenue Fund (Ordinance No. 2010910-001) to accept and appropriate \$550,000 in grant funds from the Health Resources Services Administration section of the U.S. Department of Health and Human Services for the CARES Act Provider Relief Program.

Ordinance No. 20200521-009 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

10. Approve a resolution relating to negotiation of an amendment of the City's Strategic Partnership Agreement with the Shady Hollow Municipal Utility District.
Resolution No. 20200521-010 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
11. Approve negotiation and execution of an amendment to the interlocal agreement with Travis County, through Travis County Services for the Deaf and Hard of Hearing, for sign language interpretation services for Austin Public Health and Municipal Court, to include Computer Assisted Realtime Transcription services, for a total contract amount not to exceed \$43,500 annually.
The motion approving negotiation and execution of an amendment to the interlocal agreement with Travis County, through Travis County Services for the Deaf and Hard of Hearing, was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
12. Approve an ordinance authorizing the acceptance of emergency grant funding in the amount of \$4,620,659 from the U.S. Department of Housing and Urban Development (HUD) for Community Development Block Grant (CDBG-CV)-based COVID-19 relief programs; and amending the Fiscal Year 2019-2020 Neighborhood Housing and Community Development Department Operating Budget by appropriating the \$4,620,659 accepted from HUD for CDBG-CV-based COVID-19 relief programs.
Ordinance No. 20200521-012 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
13. Authorize the negotiation and execution of Amendment No. 1 to the Fiscal Year 2019-2020 Service Agreement with the Austin Housing Finance Corporation, to increase funding for the Community Development Block Grant Program by \$2,675,489, for a total Service Agreement amount not to exceed \$84,589,892.
The motion authorizing the negotiation and execution of Amendment No. 1 to the Fiscal Year 2019-2020 Service Agreement with the Austin Housing Finance Corporation was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
14. Approve a resolution amending the City's Fiscal Year 2019-20 Action Plan, the City's Fiscal Year 2019-2024 Consolidated Plan, and the City's Citizen Participation Plan, to allow the City to apply for, receive and administer additional grant funds made available through the Coronavirus Aid, Relief, and Economic Security Act (CARES Act); and authorizing the City Manager to apply for CARES Act funds and to negotiate with the federal government to receive the CARES Act funds.
Resolution No. 20200521-014 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

15. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 6.42 acres out of the Santiago Del Valley Grant, in Travis County, Texas, located at or near 6411 S. Pleasant Valley Road, Austin, Texas from Henry Casillas, for a total amount not to exceed \$175,793.00, including closing costs. District(s) Affected: District 2.
The motion authorizing negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 6.42 acres was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
16. Authorize negotiation and execution of an encroachment agreement with 5th and Brazos Property Owner, LLC, a Delaware limited liability company, for a subsurface encroachment consisting of approximately 249 square feet within the San Jacinto Boulevard right-of-way for improvement of an underground electrical vault access hatch. District(s) Affected: District 9.
The motion authorizing negotiation and execution of an encroachment agreement with 5th and Brazos Property Owner, LLC was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
17. Approve termination of an encroachment agreement between the City and Carlyle Lippincott 1998 Heritage Trust, Mary Lippincott 1998 Heritage Trust, and Lippincott Capital Ltd. for the aerial encroachment of right-of-way by balconies and canopies at the intersection of West Elizabeth Street and Eva Street, located at 110 West Elizabeth Street, and approving the refund of a portion of the fee paid for the encroachment in an amount not to exceed \$64,791.06. District(s) Affected: District 9.
The motion approving the termination of an encroachment agreement between the City and Carlyle Lippincott 1998 Heritage Trust, Mary Lippincott 1998 Heritage Trust, and Lippincott Capital Ltd. was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

Item 18 was pulled for discussion.

19. Authorize negotiation and execution of an agreement with the Quality of Life Foundation for job placement and training services in the amount of \$90,000 for the Emerging Leader Summer Internship Program.
The motion authorizing negotiation and execution of an agreement with the Quality of Life Foundation was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
20. Approve an ordinance amending the FY 2019-2020 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept and appropriate \$1,477,193 CARES Act grant funds from the Texas Department of Housing & Community Affairs, Community Services Block Grant for the delivery of basic needs, case management, employment support, rent & utility assistance and preventive health services to low-income residents affected by the COVID-19 pandemic.
Ordinance No. 20200521-020 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

21. Authorize the ratification of an agreement with Survive2Thrive Foundation to provide direct relief and direct financial assistance to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$800,000 for the term May 11, 2020 through September 30, 2020.

The motion authorizing the ratification of an agreement with Survive2Thrive Foundation was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

The following direction to staff was provided by Council Member Alter and accepted without objection:

"Flag for staff that utility customer assistance funds have received additional allocations in the face of COVID-19 and the utilities have expanded eligibility for those funds. Please ensure that our partners that are distributing financial assistance are giving the latest information on the funds available for utility assistance so that we can maximize the amounts coming from our utilities for utility relief and free up other funds for other needs. Make sure our partners have the latest information on our utility assistance programs so they can tell people about the expanded eligibility and funds available."

22. Authorize the ratification of an agreement with Workers Defense Project, Inc. to provide direct financial assistance to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$400,000 for the term May 11, 2020 through September 30, 2020.

The motion authorizing the ratification of an agreement with Workers Defense Project, Inc. was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

23. Authorize ratification of an agreement with Nineveh Ministries dba Jail to Jobs to provide direct relief and direct financial assistance to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$278,630 for the term of May 4, 2020 through September 30, 2020.

This item was withdrawn on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

24. Authorize award of a multi-term contract with TransAmerican Power Products, to provide distribution steel poles, for up to five years for a total contract amount not to exceed \$6,000,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D, Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the award of a multi-term contract with TransAmerican Power Products was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

25. Authorize award of a multi-term contract with Tomar Electronics Inc., to purchase Tomar brand lightbars, replacement parts, and accessories, for up to five years for a total contract amount not to exceed \$3,828,000. (Note : This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business

Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the award of a multi-term contract with Tomar Electronics Inc. was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

26. Authorize negotiation and execution of a multi-term cooperative contract with Delta Fire & Safety Inc. D/B/A Delta Industrial Service & Supply, for bunker gear, for up to 17 months for a total contract amount not to exceed \$1,102,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the negotiation and execution of a multi-term cooperative contract with Delta Fire & Safety Inc. doing business as Delta Industrial Service & Supply was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

27. Authorize an amendment to an existing contract with WorkQuest, to provide continued cleanup services for overpasses, under bridges and in the transportation right of way, for an increase in the amount of \$1,800,000 and to increase the term by three years, for a revised total 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 this contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

This item was withdrawn on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

28. Approve an ordinance amending Chapter 4-12 (Registration of Credit Access Businesses), creating an offense and penalty, and amending the 2019-2020 Fee Schedule in Ordinance No. 20190910-002 to add an application fee.

Ordinance No. 20200521-028 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

29. Approve on third 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.

Ordinance No. 20200521-029 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

30. Approve on third 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.

Ordinance No. 20200521-030 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

31. Approve on third reading an ordinance renewing a franchise for ATX Coop Taxi to operate a taxicab service in the City of Austin for five years.
Ordinance No. 20200521-031 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
32. Approve on third reading an ordinance granting a franchise for Longhorn Taxicab Company to operate a taxicab service in the City of Austin for five years.
Ordinance No. 20200521-032 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
33. Approve on third reading an ordinance granting a franchise for Central City Taxi to operate a taxicab service in the City of Austin for five years.
Ordinance No. 20200521-033 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
34. Authorize award and execution of a construction contract with M.A. Smith Contracting Co., Inc., for the Anderson Mill Road Regional Mobility Improvements project in the amount of \$6,823,237.40 plus a \$682,323.74 contingency, for a total contract amount not to exceed \$7,505,561.14. [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 7.32% MBE and 1.33% WBE participation.]
The motion authorizing the award and execution of a construction contract with M.A. Smith Contracting Co., Inc. was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
35. Approve a resolution authorizing issuance by Senna Hills Municipal Utility District of Unlimited Tax and Waterworks and Sewer System Revenue Refunding Bonds, Series 2020, in an amount not to exceed \$3,135,000.
Resolution No. 20200521-035 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
36. Approve a resolution expressing the City of Austin's consent, as required by Internal Revenue Code Section 147(f), to Arlington Higher Education Finance Corporation's loan to St. Dominic Savio Catholic High School and Holy Family Catholic School, schools that are located in Austin, Texas, in an amount not to exceed \$20,000,000 to refinance outstanding indebtedness and finance other eligible expenses at St. Dominic and Holy Family Catholic School.
Resolution No. 20200521-036 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
37. 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.
The following appointments were approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote:

Board/Nominee

Nominated by

Downtown Commission

Kimberly Taylor

Parks and Recreation Board

Item 38 was pulled for discussion.

39. Set a public hearing to consider an ordinance amending City Code Chapter 25-12 (Technical Codes) to adopt the 2018 International Swimming Pool & Spa Code and local amendments; and amending City Code Chapter 10-7 (Pools and Spas) to conform with the amendments to City Code Chapter 25-12 (Technical Codes). (Suggested date: June 4, 2020 at 301 W. Second St., Austin, TX)
The public hearing was set for June 4, 2020 at 301 W. Second St., Austin, TX on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
40. Set a public hearing related to an application by ECG Capitol View, 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 Capitol View Flats, located at or near the northwest corner of East Slaughter Lane and Capitol View Drive, within the City's extraterritorial jurisdiction. (Suggested date: Thursday, June 4, 2020, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).
The public hearing was set for June 4, 2020 at 301 W. Second St., Austin, TX on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
41. Set a public hearing related to an application by AMTEX Multi-Housing, LLC, 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 Meadow Apartments, located at or near 6216 Colton Road, within the City's extraterritorial jurisdiction. (Suggested date: Thursday, June 4, 2020, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).
The public hearing was set for June 4, 2020 at 301 W. Second St., Austin, TX on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
42. Set a public hearing related to an application by LDG The Henderson on Reinli, 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 The Henderson on Reinli, located at or near 1101 Reinli Street, within the City. (Suggested date: Thursday, June 4, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas). District(s) Affected: District 4.
The public hearing was set for June 4, 2020 at 301 W. Second St., Austin, TX on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
43. Set a public hearing related to an application by LDG The Matador, 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 The Matador, located at or near 5900 South Congress Avenue, within the City. (Suggested date: Thursday, June 4, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas). District(s) Affected: District 2.

The public hearing was set for June 4, 2020 at 301 W. Second St., Austin, TX on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

44. Set public hearings to consider an ordinance adopting a Strategic Partnership Agreement ('SPA') between the City of Austin and the Austin Green Improvement District No. 1 (District), which includes immediate limited purpose annexation and future full purpose annexation of the District. Contiguous to Council District 2. (Suggested dates: June 4, 2020 and July 30, 2020, Austin City Hall, 301 W. 2nd Street, Austin, Texas).

This item was withdrawn on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

45. Set a public hearing concerning full purpose annexation of approximately 9.4 acres located in Travis County, located at 11405, 11409 and 11411 North FM 620 Road, and authorize negotiation and execution of a written agreement with the owner of the land for the provision of services. The property is currently in limited purpose jurisdiction and is adjacent to Austin Council District 6. Suggested date: June 4, 2020.

The public hearing was set for June 4, 2020 on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

Item 75 was pulled for discussion.

76. Ratify the contract with MusiCares Foundation, Inc. to administer the Austin Music Disaster Relief Fund grant program to disburse emergency funds to Austin musicians in need of relief as a result of the COVID-19 pandemic and the cancellation of SXSW.

The motion ratifying the contract with MusiCares Foundation, Inc. was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

77. Authorize negotiation and execution of an interlocal agreement with the City of Lakeway related to the location of an ambulance and personnel in a facility owned by the City of Lakeway.

The motion authorizing the negotiation and execution of an interlocal agreement with the City of Lakeway was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

78. Authorize negotiation and execution of an amendment to the legal services agreement with LM Tatum, PLLC for legal services related to an investigation regarding the Austin Police Department and providing legal advice to the City Manager in the amount of \$35,000 for a total contract amount not to exceed \$90,000.

The motion authorizing the negotiation and execution of an amendment to the legal services agreement with LM Tatum, PLLC was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

79. Approve an ordinance authorizing negotiation and execution of an Amendment to the License Agreement, waiver of the annual license fees and appraisal required under City Code Chapter 14-11 for a 6-month renewal, to commence on May 23, 2020 and terminate November 23, 2020,

with one 6-month extension option with Austin Pets Alive permitting Austin Pets Alive's use of the Town Lake Animal Center located at 1156 W. Cesar Chavez, Austin, Texas, and declaring an emergency. District(s) Affected: District 9.

Ordinance No. 20200521-079 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

80. Ratify the execution of the purchase agreement and pre-purchase occupancy agreement with Karvins Hotels, Inc. and approve the execution of all documents and instruments necessary to purchase in fee simple approximately 1.7513 acres of land and a building containing approximately 43,798 square feet out of Lot 8, 9, 10, 11, 14, 15, 16, 17, Block 2, of St. John's Home Addition, a subdivision in Travis County, Texas, according to the plat recorded as Volume 4, Page 42, of the Plat Records of Travis County, Texas, and Lot 12A, Resubdivision of Lots 12 and 13, Block 2, of St. John's Home Addition, a subdivision in Travis County, Texas, according to the plat recorded as Volume 62, Page 18, of the Plat Records of Travis County, Texas, known locally as 7400 N Interstate 35 Frontage Rd., Austin, TX 78752 from Karvins Hotels Inc. for a total amount not to exceed \$8,755,000.00 including closing costs.

The motion ratifying the execution of the purchase agreement and pre-purchase occupancy agreement with Karvins Hotels, Inc. was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

81. Authorize the ratification of Amendment No. 1 to an agreement with Family Eldercare, Inc., in an amount not to exceed \$104,500 in one-time funding, to provide mobile hygiene trailers for homeless individuals in Austin/Travis County affected by COVID-19 for a revised agreement amount of \$824,500, with no extension options.

The motion authorizing the ratification of Amendment No. 1 to an agreement with Family Eldercare, Inc. was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

82. Authorize the ratification of an agreement with Central Texas Food Bank to provide direct relief food access to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$2,000,000 for the term May 11, 2020 through September 30, 2020.

The motion authorizing the ratification of an agreement with Central Texas Food Bank was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

83. Authorize negotiation and execution of an agreement with Austin Diaper Bank to provide direct financial assistance and direct relief services to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$356,000 for the term May 26, 2020 to September 30, 2020.

The motion authorizing the negotiation and execution of an agreement with Austin Diaper Bank was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

84. Authorize negotiation and execution of an agreement with Caritas of Austin to provide direct relief services to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$1,000,000 for the term May 26, 2020 to September 30, 2020.
The motion authorizing the negotiation and execution of an agreement with Caritas of Austin was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
85. Authorize negotiation and execution of an agreement with Family Eldercare, Inc. to provide direct financial assistance and direct relief services to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$277,241 for the term May 26, 2020 through September 30, 2020.
The motion authorizing the negotiation and execution of an agreement with Family Eldercare, Inc. was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
86. Authorize negotiation and execution of an agreement with Meals on Wheels & More, Inc. to provide direct relief services to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$250,000 for the term May 26, 2020 to September 30, 2020.
The motion authorizing the negotiation and execution of an agreement with Meals on Wheels & More, Inc. was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
87. Authorize negotiation and execution of an agreement with the Society of St. Vincent De Paul - Diocesan Council of Austin to provide direct financial assistance and direct relief services to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$1,000,000 for the term May 26, 2020 through September 30, 2020.
The motion authorizing the negotiation and execution of an agreement with the Society of St. Vincent De Paul - Diocesan Council of Austin was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
88. Authorize negotiation and execution of an agreement with Worker Assistance Program to provide direct financial assistance and direct relief services to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$250,000 for the term May 26, 2020 to September 30, 2020.
The motion authorizing the negotiation and execution of an agreement with Worker Assistance Program was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

The following direction to staff was provided by Council Member Alter and accepted without objection:

"Flag for staff that utility customer assistance funds have received additional allocations in the face of COVID-19 and the utilities have expanded eligibility for those funds. Please ensure that our partners that are distributing financial assistance are giving the latest information on the funds available for utility assistance so that we can maximize the

amounts coming from our utilities for utility relief and free up other funds for other needs. Make sure our partners have the latest information on our utility assistance programs so they can tell people about the expanded eligibility and funds available.”

89. Authorize negotiation and execution of an agreement with No More, No Más, Inc. to provide direct financial assistance and direct relief services to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$120,000 for the term May 26, 2020 through September 30, 2020.

The motion authorizing the negotiation and execution of an agreement with No More, No Más, Inc. was approved on consent on Council Member Pool’s motion, Council Member Renteria’s second on an 11-0 vote.

90. Authorize negotiation and execution of an agreement with the Muslim Community Support Services to provide direct financial assistance and direct relief services to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$226,046 for the term May 26, 2020 through September 30, 2020.

The motion authorizing the negotiation and execution of an agreement with the Muslim Community Support Services was approved on consent on Council Member Pool’s motion, Council Member Renteria’s second on an 11-0 vote.

The following direction to staff was provided by Council Member Alter and accepted without objection:

“Flag for staff that utility customer assistance funds have received additional allocations in the face of COVID-19 and the utilities have expanded eligibility for those funds. Please ensure that our partners that are distributing financial assistance are giving the latest information on the funds available for utility assistance so that we can maximize the amounts coming from our utilities for utility relief and free up other funds for other needs. Make sure our partners have the latest information on our utility assistance programs so they can tell people about the expanded eligibility and funds available.”

91. Authorize negotiation and execution of an agreement with Financial Literacy Coalition of Central Texas to provide direct financial assistance and direct relief services to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$202,300 for the term May 26, 2020 through September 30, 2020.

The motion authorizing the negotiation and execution of an agreement with Financial Literacy Coalition of Central Texas was approved on consent on Council Member Pool’s motion, Council Member Renteria’s second on an 11-0 vote.

92. Authorize an amendment to an existing contract with Scott & White Clinic, to provide continued Associate Medical Director services, for an increase in the amount of \$42,000, for a revised total contract amount not to exceed \$90,000. (Note: This amendment is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

The motion authorizing an amendment to an existing contract with Scott & White Clinic was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

93. Approve an ordinance requiring disclosures about the applicability of the Coronavirus Aid, Relief, and Economic Security (CARES) Act to rental property, late fees, and evictions; creating an offense and penalty; and declaring an emergency. Council Sponsors: Council Member Gregorio Casar, Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Kathie Tovo, Council Member Ann Kitchen.

Ordinance No. 20200521-093 was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

Items 94 through 96 were pulled for discussion.

DISCUSSION ITEMS

18. Approve an ordinance amending the Fiscal Year 2019-2020 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept and appropriate \$885,407 in grant funds from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the Coronavirus Emergency Supplemental Funding Program.

Ordinance No. 20200521-018 was approved on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.

Mayor Adler recessed the Council Meeting at 12:42 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

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

Withdrawn.

52. Discuss matters related to Austin Energy generation resources (Certain Public Power Utilities: Competitive Matters - Section 551.086 of the Government Code).

Conducted.

53. Discuss legal issues related to the November 2020 election (Private consultation with legal counsel - Section 551.071 of the Government Code).

Conducted.

98. Discuss real estate and legal matters related to the purchase, exchange, lease, or value of real properties owned by The University of Texas System including the following: the Brackenridge Tracts generally located along Lake Austin Boulevard west of Hearn Street including Lions Municipal Golf Course; the West Pickle Research Campus generally located at the southwest corner of the intersection of Braker Lane and North MoPac Expressway; the Sematech tract generally located at the northwest corner of the intersection of E Oltorf Street and Montopolis Drive. (Real property - Section 551.072 of the Government Code and Private consultation with legal counsel - Section 551.071 of the Government Code).
- Conducted.**

Mayor Adler reconvened the Council Meeting at 2:41 p.m.

AUSTIN HOUSING AND FINANCE CORPORATION MEETING

Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:31 p.m. See separate minutes.

48. 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.

Mayor Adler reconvened the Council Meeting at 3:42 p.m.

EMINENT DOMAIN

46. Approve a resolution authorizing the filing of eminent domain proceedings for the Country Club Creek Trail project for the public use of providing connectivity between many local attractions, homes, sidewalks, and bicycle lanes, the acquisition of one Sidewalk, Trail and Recreational Easement and one Temporary Working Space Easement. The Sidewalk, Trail and Recreational Easement being approximately 1.133 Acre (49,334 sq. ft.) tract of land out of Lot 3 and a portion of Lot 2, Chevy Chase South Phase Six, a subdivision of record in Book 85, Page 127B of the Plat Records of Travis County, Texas. Said Lot 3 and said portion of Lot 2 conveyed to F&B 4404 Oltorf, LP by special warranty deed recorded in Document No. 2013130889 of the Official Public Records of Travis County, Texas. The Temporary Working Space Easement being approximately 0.518 acre (22,581 sq. ft.) tract of land, being comprised of four tracts of land situated in Travis County, Texas. The tract of land hereinafter referred to as 'Tract One', containing 0.058 acre of land (2,543 sq. ft.) being out of Lot 3, Chevy Chase South Phase Six, a subdivision of record in Book 85, Page 127B of the Plat Records of Travis County, Texas, the tract hereinafter referred to as 'Tract Two' containing 0.182 acre of land (7,907 sq. ft.) being out of said Lot 3, Chevy Chase South Phase Six, the tract of land hereinafter referred to as 'Tract Three', containing 0.172 acres of land (7,495 sq. ft.) being out of said Lot 3 and a portion of Lot 2, Chevy Chase South Phase Six and the tract of land hereinafter referred to as 'Tract Four', containing 0.106 acres of land (4,636 sq. ft.) being out of said portion of Lot 2 conveyed to F&B 4404 Oltorf LP by special warranty deed recorded in Document No. 2013130889 of the Official Public Records of Travis County, Texas in the amount of \$398,798. The owner of the needed

property is F&B Oltorf, LP. The property is located at 4404 E. Oltorf Street, Austin Texas 78741. District(s) Affected: District 3.

Resolution No. 20200521-046 was approved on Council Member Casar's motion, Council Member Alter's second on an 11-0 vote.

47. Approve a resolution authorizing the filing of eminent domain proceedings for the Little Walnut Creek-Jamestown Tributary Erosion and Drainage Improvements project, for the public use of a storm drain infrastructure project to reduce flood risk, the acquisition of a drainage easement being approximately 0.028 of one acre (1,217 sq. ft.) of land, more or less, out of and part of the James P. Wallace Survey No. 57, Abstract No. 789, in Travis County, Texas, same being a portion of Lot 2, Block 'D', Jamestown Section One recorded in book 18, page 92 of the plat records of Travis County Texas, conveyed to Benjamin C. Grimm by probate executed on July 25, 2000, filed for record on August 15, 2000 and recorded in PC#C-1-PB-15-000778 of the Probate Court of Travis County, Texas, in the amount of \$9,263. The owners of the needed property are Andrea J. Smith and Ben C. Grimm. The property is located at 8603 Bridgeport Drive, Austin, Texas 78758. The general route of the project is along Jamestown Drive just west of Lamar Boulevard and south of Payton Gin Road. District(s) Affected: District 4.
- Resolution No. 20200521-047 was approved on Council Member Casar's motion, Council Member Alter's second on an 11-0 vote.**

PUBLIC HEARINGS

49. 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.
- This item was postponed to July 30, 2020 without objection.**

DISCUSSION ITEMS CONTINUED

97. Approve a resolution directing the City Manager not to renew the current interlocal agreement with the Texas Department of Public Safety for the OmniBase program when it expires. Council Sponsors: Judicial Committee.
- Resolution No. 20200521-097 was approved on Council Member Casar's motion, Council Member Harper-Madison's second on an 11-0 vote.**

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

55. NPA-2019-0003.01 - David Chapel Missionary Baptist Church - Conduct a public hearing and approve an ordinance amending Ordinance No. 19990715-113 the Chestnut 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 2201, 2203, 2207, 2211, 2301 E. Martin Luther King, Jr. Blvd; 1805, 1807 Ferdinand Street and 1803, 1807 Chestnut Ave. (Boggy Creek Watershed) from Civic and Single Family to Mixed Use land use. Staff recommendation: Pending. Planning Commission recommendation: To be review on June 23, 2020.

Owner/Applicant: David Chapel Missionary Baptist Church. Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 1.

This item was postponed to June 11, 2020 at the request of staff on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

56. NPA-2016-0014.01.SH Nuckols Crossing Rd - SMART Housing (District 2)- Conduct a public hearing and approve an ordinance amending Ordinance No. 20021010-11, the Southeast 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 4316 & 4400 Nuckols Crossing Road (Williamson Creek Watershed) from Single Family to Multifamily land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on May 26, 2020. Owners: Angelos Angelou, John Sasaridis, and Weindel Mark Sebastian Miles. Applicant: McDowell Housing Partners (Ariana Brendle). Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 2.

This item was postponed to June 11, 2020 at the request of staff on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

57. C14-2017-0010.SH - Nuckols Crossing Road - SMART Housing - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4316 and 4400 Nuckols Crossing Road (Williamson Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning, as amended. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on May 26, 2020. Owners: Angelos Angelou and John Sasaridis; Mark Sebastian Miles Weindel. Applicant: McDowell Housing Partners (Ariana Brendle). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

This item was postponed to June 11, 2020 at the request of staff on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

58. 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: To deny Mixed Use land use. Planning Commission Recommendation: To be reviewed May 12, 2020. Owner/Applicant: 4539 East Ben White Associates LLC (Trevor Belton, Authorized Signatory). Agent: Coats Rose, P.C. (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

This item was postponed to June 11, 2020 at the request of the applicant on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

59. C14-2019-0167 - 4530 E. Ben White Blvd - District 3 - 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: To be reviewed May 12, 2020. Owner: 4539 East Ben White Associates LLC (Trevor Belton). Applicant: Coats Rose (John Joseph). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 3.

This item was postponed to June 11, 2020 at the request of the applicant on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

60. NPA-2019-0021.02 - 6101 E. Oltorf Street -Conduct a public hearing and 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) Affected: District 3.

This item was postponed indefinitely at the request of the applicant on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

61. C14-2019-0110 - 6101 E. Oltorf Street - District 3 - 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: To deny limited industrial services - planned development area - neighborhood plan (LI-PDA-NP) combining district zoning. 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) Affected: District 3.

This item was postponed indefinitely at the request of the applicant on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

62. C14-2019-0129 - 10801 Wayne Riddell Loop - Conduct a public hearing and approve an ordinance amending City Code Title 25 by 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: Pending. 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) Affected: District 5.

This item was postponed to June 4, 2020 at the request of staff on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

63. C14-2019-0107.SH - Diamond Forty-Two- District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as locally known as 5511, 5515, 5517, and 5519 Jackie Robinson Street (Fort Branch Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse-condominium residential-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed May 12, 2020. Owner/Applicant: William D. Mosley. City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

This item was postponed to July 30, 2020 at the request of staff on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

64. 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) Affected: District 2.

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

65. NPA-2019-0016.01 - Shady Lane Mixed Use - District 3 -Conduct a public hearing and approve an ordinance amending Ordinance No. 20030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 914 Shady Lane (Boggy Creek Watershed) from Single Family and Water land use to Neighborhood Mixed Use and Higher Density Single Family land use. Staff Recommendation: To grant the applicant's request for Neighborhood Mixed Use and Higher Density Single Family land use. Planning Commission Recommendation: To be reviewed May 12, 2020. Owner/Applicant: Kimberly Beal and Stephanie Scherzer. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

This item was postponed to June 11, 2020 at the request of staff on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

66. C14-2019-0098 - Shady Lane Mixed Use - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 914 Shady Lane (Boggy

Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning (Tract 1) and general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning (Tract 2). Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning (Tract 1) and neighborhood commercial -mixed use-neighborhood plan (LR-MU-NP) combining district zoning (Tract 2). Planning Commission Recommendation: To be reviewed May 12, 2020. Owner/Applicant: Kimberly Beal and Stephanie Scherzer. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning case. District(s) Affected: District 3.

This item was postponed to June 11, 2020 at the request of staff on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

69. C14-2020-0019 - Church of Christ at East Side - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as locally known as 5701 East Martin Luther King, Jr. Boulevard (Walnut 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: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed May 12, 2020. Owner/Applicant: Church of Christ at East Side (George Williams) Agent: Metcalfe, Wolff, Stuart & Williams, LLP (Amanda Couch Brown). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200521-069 for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

70. C14-2020-0036 - 827 W 12th Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 827 W 12th Street (Shoal Creek Watershed). Applicant Request: To rezone from downtown mixed used - conditional overlay (DMU-CO) combining district zoning to downtown mixed used - conditional overlay (DMU-CO) combining district zoning. Staff recommendation: To grant downtown mixed used - conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: Pending. Owner/Applicant: TDC West Twelfth LP. Agent: Drenner Group (Amanda Swor). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 9.

This item was postponed to June 4, 2020 at the request of staff on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

71. 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 May 12, 2020. Owner/Applicant: Powell-Corbert LLC (William Corbert). Agent: Coats-Rose (John Joseph). Staff: Mark Graham, 512-974-3574. District(s) Affected: District 9.

This item was postponed to June 11, 2020 at the request of staff on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

Mayor Adler recessed the Council Meeting at 3:53 p.m.

EXECUTIVE SESSION CONTINUED

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

53. Discuss legal issues related to the November 2020 election (Private consultation with legal counsel - Section 551.071 of the Government Code).

Conducted.

98. Discuss real estate and legal matters related to the purchase, exchange, lease, or value of real properties owned by The University of Texas System including the following: the Brackenridge Tracts generally located along Lake Austin Boulevard west of Hearn Street including Lions Municipal Golf Course; the West Pickle Research Campus generally located at the southwest corner of the intersection of Braker Lane and North MoPac Expressway; the Sematech tract generally located at the northwest corner of the intersection of E Oltorf Street and Montopolis Drive. (Real property - Section 551.072 of the Government Code and Private consultation with legal counsel - Section 551.071 of the Government Code).

Conducted.

Mayor Adler reconvened the Council Meeting at 7:04 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

67. NPA-2019-0015.02 - 3500 Pecan Springs Residential -Conduct a public hearing and approve an ordinance amending Ordinance No.021107-Z-11, the East MLK 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 3500 Pecan Springs Rd., (Fort Branch Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation and Planning Commission Recommendation: To Grant Higher Density Single Family land use. Owner/Applicant: Peter Gray. Agent: Ron Thrower; Thrower Design. City Staff: Jesse Gutierrez, (512) 974-1606. District(s) Affected: District 1.

This item was postponed to June 11, 2020 on Council Member Harper-Madison's motion, Council Member Ellis' second on a 10-0 vote. Council Member Tovo was off the dais.

68. C14-2019-0164 - 3500 Pecan Springs Residential - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3500 Pecan Springs Road (Fort Branch Creek Watershed) from family residence-neighborhood plan(SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Owner/Applicant: 9025BFD, LLC (Peter Gray). Agent: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning case. District(s) Affected: District 1.
This item was postponed to June 11, 2020 on Council Member Harper-Madison's motion, Council Member Ellis' second on a 10-0 vote. Council Member Tovo was off the dais.

DISCUSSION ITEMS CONTINUED

38. Approve a resolution directing the City Manager to establish a strategy for high-risk workers in order to prevent hospitalizations and fatalities related to COVID-19. Council Sponsors: Council Member Gregorio Casar, Council Member Natasha Harper-Madison, Council Member Ann Kitchen, Council Member Paige Ellis, Council Member Leslie Pool.
Resolution No. 20200521-038 was approved on Council Member Casar's motion, Council Member Harper-Madison's second on an 11-0 vote.
75. Approve an ordinance amending the Fiscal Year 2019-2020 Financial Services Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept and appropriate \$170,811,898 in funds from the Federal government, United States Department of Treasury, Coronavirus Relief Fund related to the Coronavirus Disease 2020 outbreak; and declaring an emergency.
Ordinance No. 20200521-075 was approved on Council Member Alter's motion, Council Member Harper-Madison's second on an 11-0 vote.
95. Approve a resolution directing the City Manager to prepare and take appropriate action to ensure the long-term sustainability of Austin's creative culture, including its arts and music industries. Council Sponsors: Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Gregorio Casar, Council Member Ann Kitchen, Council Member Kathie Tovo.
A motion to approve the resolution was made by Mayor Adler and seconded by Council Member Harper-Madison.

The following amendments were offered by Mayor Adler and accepted without objection. The amendments were:

Amend the last sentence of the first Be It Further Resolved clause to read:

"Legal documents necessary for the creation of the EDC including a cultural trust(s) should be prepared as soon as possible upon Council approval, but no later than July 23rd."

Amend the first sentence of the second Be It Further Resolved clause to read:

“The City Manager is directed to review the portfolio of city-owned buildings and make recommendations to City Council on properties that may be suitable for cultural uses, as a part of the strategic facility planning process and the efforts to establish an EDC including a cultural trust(s).”

Resolution No. 20200521-095 was approved as amended above on Mayor Adler’s motion, Council Member Harper-Madison’s second on an 11-0 vote.

96. Approve a resolution related to economic recovery and revitalization associated with the live music ecosystem, including in the Red River Cultural District, and authorizing the City Manager to implement feasible strategies. Council Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Ann Kitchen, Council Member Gregorio Casar.

A motion to approve the resolution was made by Council Member Tovo and seconded by Mayor Adler.

The following amendments were offered by Council Member Tovo and accepted without objection. The amendments were:

To add a new second-to-last WHEREAS clause to read:

“WHEREAS, Resolution No. 20200326-091 directed the City Manager to “develop programs to support Austinites that have been economically impacted by the public health crisis, including, but not limited to, the small and local businesses, musicians, and workers in the creative, hospitality, service, retail, restaurant, music, child care, construction, and film industries and other associated industries impacted by the COVID-19 related cancellation of major events, including, but not limited to the 2020 SXSW Festival.”

Amend the ninth WHEREAS clause to read:

“WHEREAS, Resolution No. 20190808-072 reiterated prior Council direction to create an economic development corporation and this resolution envisions an entity that could manage a portfolio of projects including affordable housing developments, public-private partnerships with private-led development such as along the South Central Waterfront, and a Cultural Trust to support acquisition and preservation of creative space; and”

The following amendment was offered by Mayor Adler and accepted without objection. The amendment was:

Amend the last sentence of the first Be It Further Resolved clause to read:

“Such options shall include identification of strategies, timing, and funding sources, but shall not include the 2018 creative space bonds, other than through the solicitation process open to all entities.”

Resolution No. 20200521-096 was approved as amended above on Council Member Tovo’s motion, Mayor Adler’s second on an 11-0 vote.

94. Approve a resolution directing the City Manager to develop a right to return to work program for impacted airport food, beverage, and retail concessionaire workers as those airport concessionaires begin to reopen and as employees feel safe returning to work. Council Sponsors: Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria.
A motion to approve the resolution was made by Mayor Pro Tem Garza and seconded by Council Member Harper-Madison.

The following amendment was offered by Council Member Flannigan and accepted without objection. The amendment was:

Add a new (e) to the first Be It Further Resolved clause to read:

“(e) Permissible incentives directed to companies certified as Airport Concession Disadvantaged Business Enterprises (ACDBEs).”

Resolution No. 20200521-094 was approved as amended above on Mayor Pro Tem Garza’s motion, Council Member Harper-Madison’s second on an 11-0 vote.

PUBLIC HEARINGS CONTINUED

50. Conduct a public hearing and 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 located at 7415 Southwest Parkway in the East Oak Hill Neighborhood Planning Area. This action concerns land located in the Barton Springs zone.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200521-050 was approved on Council Member Ellis’ motion, Council Member Pool’s second on an 11-0 vote.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

72. C14-2019-0003 - Lantana, Block P, Lot 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7415 Southwest Parkway (Williamson Creek Watershed-Barton Springs Zone). Applicant's Request: To rezone from community commercial-neighborhood plan (GR-NP) combining district zoning for Tract 1 and commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning for Tract 2 to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning for Tract 1 and commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning for Tract 2. Staff Recommendation: To grant community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning for Tract 1 and commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning for Tract 2. Planning Commission Recommendation: To be reviewed on May 12, 2020. Owner and Applicant: Lantana Place, L.L.C. (Erin J. Pickens). Agent: LJA Engineering, Inc. (Paul J. Viktorin, P.E.). City Staff:

Wendy Rhoades, 512-974-7719. This action concerns land located in the Barton Springs Zone. District(s) Affected: District 8.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200521-072 for community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning for Tract 1 and commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning for Tract 2 was approved with the following additional conditional overlay on Council Member Ellis' motion, Council Member Pool's second on an 11-0 vote.

On Tract 2 the maximum structure height is limited to one-story and not more than 28 ft.

73. C14-85-288.8(RCA) - Lantana, Block P, Lot 3 - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 7415 Southwest Parkway (Williamson Creek Watershed-Barton Springs Zone). Staff Recommendation: To grant an amendment to the restrictive covenant. Planning Commission Recommendation: To be reviewed on May 12, 2020. Owner and Applicant: Lantana Place, L.L.C. (Erin J. Pickens). Agent: LJA Engineering, Inc. (Paul J. Viktorin, P.E.). City Staff: Wendy Rhoades, 512-974-7719. This action concerns land located in the Barton Springs Zone. District(s) Affected: District 8.

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

54. C14-2017-0148- Zen Garden -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3443 Ed Bluestein Boulevard (Walnut Creek and Boggy Creek Watersheds). Applicant Request: To rezone from limited industrial services-neighborhood plan (LI-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, with conditions. Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP), combining district zoning, with alternate conditions. Owner/Applicant: 3443 Zen Garden, LP (Adam Zarafshani) Agent: Sprouse Shrader Smithfield (Terrence L. Irion). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve the Planning Commission's recommendation on first reading only was approved on Council Member Harper-Madison's motion, Council Member Renteria's second on a 10-0 vote. Council Member Alter abstained.

74. C14-2019-0137 - Delwau RV Parks - Conduct a public hearing and approve third reading 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.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200521-074 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, with the following additional prohibited uses and limitations, was approved on Council Member Harper-Madison's motion, Council Member Renteria's second on a 10-0 vote. Council Member Tovo abstained.

The additional prohibited uses and limitations included in the conditional overlay are:

- Hotel/motel**
- Outdoor entertainment**
- Indoor sports and recreation**
- Theatre**
- Limit the permitted use of the restaurant-general zoning designation for this property to a maximum of 1500 sq. ft.**

Mayor Adler adjourned the meeting at 8:58 p.m. without objection.

The minutes were approved on this the 4th day of June 2020 on Mayor Pro Tem Garza's motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was off the dais.