

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, JUNE 4, 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, June 4, 2020 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:22 a.m.

CONSENT AGENDA

1. Approve the minutes of the Austin City Council work session of May 19, 2020, and regular meeting of May 21, 2020.
The minutes of the Austin City Council work session of May 19, 2020, and regular meeting of May 21, 2020 were approved on consent 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.
2. Authorize negotiation and execution of a construction manager at risk agreement with SpawGlass Contractors, Inc., for preconstruction, schematic, design, and construction phase services for the Emergency Medical Services Facility Renovations (Stations 1, 5, 7, 10 and 13) project in an amount not to exceed \$22,400,000. [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 16.67% MBE and 16.67% WBE participation.]. District(s) Affected: District 3, District 4, District 6, District 7.
The motion authorizing negotiation and execution of a construction manager at risk agreement with SpawGlass Contractors, Inc. was approved on consent 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.
3. Authorize negotiation and execution of a professional services agreement with Toole Design Group, LLC, (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP296, to provide engineering services for the Urban Trails Plan and Sidewalks/ADA Transition Plan Updates project in an amount not to exceed \$1,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 32.90% MBE and 15.80% WBE participation.]

The motion authorizing negotiation and execution of a professional services agreement with Toole Design Group, LLC, or one of the other qualified responders was approved on consent 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.

4. Approve a resolution finding the use of the Construction Manager-at-Risk method of contracting, as authorized by Subchapter F, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for improvements and renovations to the Mexic-Arte Museum. (Note: MBE/WBE goals will be established prior to issuance of this solicitation.)

Resolution No. 20200604-004 was approved on consent 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.

5. Authorize execution of a renewal to an agreement with the Community Care Collaborative to provide ground emergency medical transport services to the Travis County Healthcare District's (d/b/a Central Health) eligible Medical Access Program beneficiaries for a fee of \$696,822 for a term of one year.

The motion authorizing execution of a renewal to an agreement with the Community Care Collaborative was approved on consent 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.

6. Approve an ordinance adopting the First Amendment to the Austin Green Improvement District No. 1 Consent Agreement relating to extending a June 12, 2020 deadline for approval of the Consent Agreement and Strategic Partnership Agreement (SPA) with the City. The recommended revised date is December 31, 2020.

This item was withdrawn on consent 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.

Item 7 was pulled for discussion.

8. Authorize negotiation and execution of an agreement with United Way to provide support to home based child care providers that are ineligible for COVID-19 pandemic relief in an amount not to exceed \$112,200 for the term June 4, 2020 through September 30, 2020, for a total agreement amount of \$112,200, with no extension options.

The motion authorizing negotiation and execution of an agreement with United Way was approved on consent 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.

9. Authorize award of a multi-term contract with United Rentals (North America) Inc. D/B/A United Rentals Inc., to provide the rental of portable toilets, for up to five years for a total contract amount not to exceed \$1,575,000. (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).

The motion authorizing the award of a multi-term contract with United Rentals (North America) Inc. doing business as United Rentals Inc. was approved on consent 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.

10. Authorize negotiation and execution of a contract with Environmental Improvements Inc., to provide a settling basin rake gearbox replacement, in an amount not to exceed \$124,225. (Note: Sole source contracts are exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

The motion authorizing negotiation and execution of a contract with Environmental Improvements Inc. was approved on consent 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.

11. Authorize award of two multi-term contracts with Badger Meter, Inc. D/B/A National Meter & Automation and Thirkettle Corporation D/B/A Aqua-Metric Sales Company, to provide water meters, each for up to five years for total contract amounts not to exceed \$5,955,000, divided between the contractors. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the award of two multi-term contracts with Badger Meter, Inc. doing business as National Meter & Automation and Thirkettle Corporation doing business as Aqua-Metric Sales Company was approved on consent 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.

12. Authorize award of a contract with Johnson Controls Fire Protection LP, to provide inspections, maintenance, and repair services for fire alarm and fire suppression systems, and fire alarm monitoring services, for up to five years for a total contract amount not to exceed \$10,000,000. (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).

The motion authorizing the award of a contract with Johnson Controls Fire Protection LP was approved on consent 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.

13. Authorize negotiation and execution of a cooperative contract with Home Depot USA Inc., to provide maintenance, repair, operating supplies, industrial supplies, and related products and services, for a term of 79 months for a total contract amount not to exceed \$13,107,300. (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 and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing negotiation and execution of a cooperative contract with Home Depot USA Inc. was approved on consent 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.

14. Authorize negotiation and execution of a multi-term contract with Technology International Inc., to provide neutral grounding resistors for up to five years for a total contract amount not to exceed \$790,000. (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 negotiation and execution of a multi-term contract with Technology International Inc. was approved on consent 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.

15. Authorize negotiation and execution of a multi-term contract with CLEAResult Consulting Inc., to provide support services for the energy efficiency retail instant savings program, for up to five years for a total contract amount not to exceed \$5,250,000. (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).

The motion authorizing negotiation and execution of a multi-term contract with CLEAResult Consulting Inc. was approved on consent 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.

16. Authorize negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority related to expansion and management of Bike Share of Austin and B-Cycle Austin, a station-based bike share system, for an initial term of four years, and a renewal term of up to three years. May 28, 2020 - Reviewed by the Mobility Committee.

The motion authorizing negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority was approved on consent 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.

17. Authorize award and execution of a construction contract with Rider Construction Group, LLC, for the ADA Sidewalk Rehabilitation Group 2 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 \$4,000,000 each, for a total contract amount not to exceed \$12,000,000. [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 11.61% MBE and 1.61% WBE participation.]

The motion authorizing the award and execution of a construction contract with Rider Construction Group, LLC was approved on consent 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.

18. 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.

Resolution No. 20200604-018 was approved on consent 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.

The resolution reappointed the following individuals to the Austin Rosewood Community Development Corporation's board of directors:

- **Position 3: AJ Bingham**
- **Position 4: Shana McGirl**
- **Position 5: Barry Franklin**
- **Position 7: Dr. Courtney Robinson**

19. Set a public hearing to consider a request for a waiver from the 300 foot minimum separation distance between a business selling alcoholic beverages and a public school from Two Hands, a proposed restaurant use at 1011 S. Congress Ave., Building 2, Unit 170, situated on property that is within 300 feet of the Texas School for the Deaf, a public school located at 1102 S. Congress Ave. (Suggested date: July 30, 2020, at Austin City Hall, 301 W. Second St., Austin, TX)

The public hearing was set for July 30, 2020, at Austin City Hall, 301 W. Second St., Austin, TX on consent 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.

Item 40 was pulled for discussion.

41. Approve an ordinance amending the Fiscal Year 2019-2020 Austin Fire Department Capital Budget (Ordinance 20190910-001) to increase appropriations by \$400,000 for land acquisition for the Travis Country fire station. Related to Item 20-2135 and 20-2150. District(s) Affected: District 8.

Ordinance No. 20200604-041 was approved on consent 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.

42. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of certificates of obligation in the amount of \$400,000 to be issued for the land acquisition for the new Travis Country fire station. Related to Items #20-2134 and 20-2150. District(s) Affected: District 8.

Resolution No. 20200604-042 was approved on consent 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.

43. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire the fee simple title to approximately 1.426 acres of land (62,117 sq. ft.) being Lot 1, Block A, Oak Hill Technology Park Subdivision, a subdivision in Travis County Texas, recorded in Document No. 200000208 of the Official Public Records of Travis County, Texas at 5408 US Highway 290 West, Austin, Texas 78735 from AAW Oak Hill LTD, and authorize an additional \$400,000, for a total purchase contract not-to-exceed amount of \$2,945,000 including closing costs. Related to Items 20-2134 and 20-2135. District(s) Affected: District 8.
The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to acquire the fee simple title to approximately 1.426 acres of land was approved on consent 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.
44. Approve an ordinance amending deadlines related to the Austin Green Improvement District No. 1 Consent Agreement (Ordinance No. 20200123-68).
Ordinance No. 20200604-044 was approved on consent 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.
45. Authorize the ratification of an agreement with Austin Public Education Foundation to provide emergency food access for caregivers of students in Austin-area schools in an amount not to exceed \$1,319,350 for the term May 21, 2020 through August 31, 2020.
The motion authorizing ratification of an agreement with Austin Public Education Foundation was approved on consent 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.
46. Authorize execution of an interlocal agreement with University of Texas at Austin-Dell Medical School to conduct a study to analyze, evaluate, and identify approaches for system improvements to protect residents and reduce the risks of the spread of COVID-19 in nursing homes, assisted living centers, and other long-term care facilities in an amount not to exceed \$210,000 for the term June 1, 2020 through December 31, 2020.
The motion authorizing execution of an interlocal agreement with University of Texas at Austin-Dell Medical School was approved on consent 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.
47. Approve an ordinance creating a pilot program that would authorize specific businesses to use private parking lots and public right-of-way for expanded business operations. Council Sponsors: Council Member Leslie Pool, Council Member Natasha Harper-Madison, Council Member Kathie Tovo, Council Member Sabino 'Pio' Renteria, Council Member Ann Kitchen.

Ordinance No. 20200604-047 was approved on consent 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.

Mayor Pro Tem Garza provided the following direction to staff that was accepted without objection. The direction was:

Staff is directed to assist businesses in resolving regulatory issues related to liquor licensing that would prohibit them from expanding business operations under this program.

48. Approve a resolution directing the City Manager to analyze and consider the funding necessary to acquire a hotel and fund a service provider to operate and manage the property as a protective shelter from family violence. Council Sponsors: Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, Council Member Natasha Harper-Madison, Council Member Ann Kitchen, Council Member Alison Alter, Council Member Paige Ellis.

Resolution No. 20200604-048 was approved on consent 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.

49. Approve a resolution authorizing the City Manager to review the process for providing direct financial relief to underserved communities based on the RISE Fund framework and to adjust that process to streamline the intake and management of the funding for the benefit of the individuals being served; and directing the City Manager to return with a budget amendment if necessary to add funding to the RISE Fund. Council Sponsors: Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Mayor Steve Adler, Council Member Kathie Tovo, Council Member Sabino 'Pio' Renteria.

Resolution No. 20200604-049 was approved on consent 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.

50. Approve an ordinance vacating an approximately 572 square foot tract of right-of-way of the alley abutting 809 East 9th Street to the Guadalupe Neighborhood Development Corporation, waiving Section 14-11-75 of the city code as it relates to vacating the right-of-way, and conveying the vacated right-of-way for \$0.00. Council Sponsors: Council Member Natasha Harper-Madison, Council Member Leslie Pool, Council Member Kathie Tovo, Council Member Sabino 'Pio' Renteria, Council Member Ann Kitchen.

Ordinance No. 2020604-050 was approved on consent 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.

EXECUTIVE SESSION

25. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.

26. Discuss legal issues related to the November 2020 election (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.
27. Discuss legal issues regarding amendments to City Code Section 25-13-45, relating to compatible residential uses in Airport Overlay Zone Three, in light of the decision in Acuna et al v. City of Austin et al, Cause No. D-1-GN-19-008617 in the 201st Judicial District, Travis County, Texas (Private consultation with legal counsel-Section 551.071 of the Government Code).
This item was withdrawn.

Mayor Alder recessed the Council Meeting at 12:53 p.m. Council Member Harper-Madison was off the dais

Mayor Adler reconvened the Council Meeting at 2:04 p.m. Council Member Harper-Madison was off the dais.

PUBLIC HEARINGS

52. Conduct a public hearing and approve an ordinance for the 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 entirely in limited purpose jurisdiction.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200604-052 was approved on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

28. C814-2018-0121 - 218 S. Lamar -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 218 South Lamar Boulevard (Lady Bird Lake Watershed) Applicant Request: To rezone from general commercial services-vertical mixed use building-neighborhood plan (CS-V-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. Owner/Applicant: Michael Pfluger, William Reid Pfluger & the Pfluger Spousal Irrevocable Trust Agent: Drenner Group PC (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 5.
This item was postponed to July 30, 2020 at the request of staff on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.

29. C14-2020-0015 - TechRidge Hotel- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12316 Tech Ridge Boulevard (Walnut Creek Watershed). Applicant Request: To rezone from general office (GO) district zoning and limited industrial services (LI) district zoning to community commercial (GR) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning. Owners/Applicants: Bellflower RR, LLC; Rising Stars GUV, LCC; Bhatt Kunjan; Techridge Hospitality, LLC; LWR Family Trust of 2015; Techridge Hospitality LLC Tech. Agent: Garrett-Ihnen/Bleyl Engineering (Jason Rodgers). 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. 20200604-029 for community commercial (GR) district zoning was approved Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.**
30. C14-2019-0108 Parker House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2404 Rio Grande Street (Shoal Creek Watershed). Applicant Request: To rezone from general office-historic landmark-neighborhood plan (GO-H-NP) combining district zoning and multifamily residence-moderate-high density-historic landmark-neighborhood plan (MF-4-H-NP) combining district zoning to community commercial -mixed use-historic landmark-neighborhood plan (GR-MU-H-NP) combining district zoning on Tract 1 and community commercial -mixed use-neighborhood plan (GR-MU-NP) combining district zoning on Tract 2. Staff Recommendation: To grant community commercial -mixed use-historic landmark-neighborhood plan (GR-MU-H-NP) combining district zoning on Tract 1 and community commercial -mixed use-neighborhood plan (GR-MU-NP) combining district zoning on Tract 2, with conditions. Historic Landmark Commission: To deny community commercial -mixed use-historic landmark-neighborhood plan (GR-MU-H-NP) combining district zoning on Tract 1 and community commercial -mixed use-neighborhood plan (GR-MU-NP) combining district zoning on Tract 2. Planning Commission Recommendation: To be reviewed May 26, 2020. Owner/Applicant: 2404 Rio Grande St LP (William Archer). Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 9.
- This item was postponed to July 30, 2020 at the request of staff on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.**
31. C14-2020-0025 - Onion Creek Greenbelt - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as the west side of Pleasant Valley Road near the intersection of Springville Lane and 7203 Deep Lane (Onion Creek Watershed). Applicant's Request: To rezone from public (P) zoning district for Tracts 1 and 2, and single family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning for Tract 3 to single family residence-standard lot (SF-2) district zoning for Tract 1, and public (P) district zoning for Tracts 2 and 3. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant single family residence-standard lot (SF-2) district zoning for Tract 1, and public (P) district zoning for Tracts 2 and 3. Owner: City of Austin - Parks & Recreation Department (Gregory Montes). Agent: City of Austin - Planning and Zoning

Department (Wendy Rhoades). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200604-031 for single family residence-standard lot (SF-2) district zoning for Tract 1, and public (P) district zoning for Tracts 2 and 3 was approved on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.

32. C14-2020-0027.SH - Arbor Park - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 6306 McNeil Drive (Walnut Creek Watershed). Applicant Request: To zone from interim-rural residence (I-RR) district zoning to multi-family residence-medium density (MF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multi-family residence-medium density (MF-3) district zoning. Applicant/Owner: Adey/Vandling, Ltd. (Pam Maulding). Agent: Drenner Group, PC (Leah M. Bojo). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200604-032 for multi-family residence-medium density (MF-3) district zoning was approved on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.

33. C814-96-0003.16 - Pioneer Crossing PUD Amendment #16 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3124 East Parmer Lane (Harris Branch Watershed). Applicant Request: To rezone from Planned Unit Development (PUD) district zoning to Planned Unit Development (PUD) district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant Planned Unit Development (PUD) district zoning, to change a condition of zoning. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. Owner: RH Pioneer North, LLC (Jordan Litwiniak). Agent: City of Austin-Planning and Zoning Department (Sherri Sirwaitis). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200604-033 for Planned Unit Development (PUD) district zoning, to change a condition of zoning was approved on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.

34. 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 June 16, 2020.

Owner: GF-ARB C, Ltd. % Live Oak Gottesman. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 10.

This item was postponed to July 30, 2020 at the request of staff on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.

35. C14-2020-0012 -Plaza Volente Residential --Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11405, 11409 and 11411 North FM 620 Road (Bull Creek Watershed). Applicant Request: To rezone from development reserve (DR) district zoning to multi-family residence- low density (MF-2) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multi-family residence-low density (MF-2) district zoning. Applicant/Owner: Judy and Fred Helms, Kathy and Donald Gross. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 202006040-035 for multi-family residence- low density (MF-2) district zoning was approved on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.

36. NPA-2019-0015.01 - 5010 & 5102 Heflin Lane- 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 5010 and 5102 Heflin Lane, (Fort Branch Watershed) from Single Family to Higher Density Single Family land use. Staff recommendation: Pending. Planning Commission recommendation: To be reviewed May 26, 2020. Owner/Applicant: Heflin Phase I LLC: Ron Thrower; Thrower Design. City Staff: Kathleen Fox, (512) 974-7877. District(s) Affected: District 1.

This item was postponed to July 30, 2020 at the request of staff on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.

37. C14-2020-0002 Springdale Commons Residences-- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7701- ½ Old Manor Road (Walnut Creek Watershed). Applicant Request: To rezone from community commercial (GR) district zoning and multifamily residence low density (MF-2-CO) combining district zoning to multifamily residence moderate-high density (MF-4) district zoning. Staff Recommendation: to grant multifamily residence moderate-high density (MF-4) district zoning. Zoning and Platting Commission Recommendation: To grant multifamily residence moderate-high density (MF-4) district zoning. Owner/Applicant: KDKB, LLC (Kanton Labaj) LP. Agent: Alice Glasco Consulting (Alice Glasco). 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. 20200604-037 for multifamily residence moderate-high density (MF-4) district zoning was approved on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.

38. 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: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning, with conditions. 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 11, 2020 at the request of the neighborhood on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.

39. 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, to change a condition of zoning. Staff Recommendation and Planning Commission Recommendation: To grant downtown mixed used - conditional overlay (DMU-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: TDC West Twelfth LP. Agent: Drenner Group (Amanda Swor). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200604-039 for downtown mixed used - conditional overlay (DMU-CO) combining district zoning, to change a condition of zoning was approved on Council Member Flannigan's motion, Council Member Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.

DISCUSSION ITEMS

40. Approve a resolution adopting the COVID-19 proposed spending framework for the use of all available federal and local funding that leverages and maximizes the benefit of federal COVID-19 relief funding and local funding.

A motion to approve the resolution was made on Casar Member Casar's motion, Mayor Pro Tem Garza's second.

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

Amend the Be It Resolved clause to read:

“The Council authorizes the City Manager to use both Federal funds and City funds in substantially the categories and allotments reflected in Exhibit A, the City Manager’s spending framework.”

Amend *Exhibit A* as follows:

“

- Retain the \$7.9 million funding for the Public Health Fund and add \$12 million to the RISE Fund, setting the total funding for Financial and Other Direct Support at \$27.5 million
- Set the funding for Small Business Assistance at \$16.5 million
- Set the funding for Non-profit Assistance at \$6.35 million
- Set the funding for Creative Sector Assistance at \$5 million
- Set the funding for Rental Assistance on behalf of tenants at \$23.95 million
- Set the funding for Rental Assistance – Long-Term Lease Stability Fund at \$1 million”

Amend the *Details* category titled *Rental Assistance* to read:

“Payment of rent directly to landlords on behalf of tenants; legal outreach and defense”

Amend the *Estimate* totals in *Details* as follows:

“Emergency Response:	\$105.5 million
COVID-19 Emergency Management	\$30 million
Department operating expenses substantially dedicated to COVID-19 response	\$68 million
Emergency Response Contingency	\$7.5 million
Medical and Public Health Needs:	\$62.9 million
Protection of vulnerable populations	\$7.1 million
Testing	\$4.5 million
Epidemiology Response	\$4.7 million
Planning & Research	\$1.7 million
Shelters & Quarantine Facilities	\$14.5 million
Public Health & Safety Measures	\$2.9 million
Miscellaneous Items	\$2.5 million
Public Health Contingency	\$25 million
Economic Support	\$103.2 million
Financial and Other Direct Support	\$27.5 million
Small Business Assistance	\$16.5 million
Non-profit Assistance	\$6.35 million
Creative Sector Assistance	\$5 million
Technical Assistance	\$1 million
Childcare Service Provider Assistance	\$2 million
Worker and Customer Safety – PPE	\$1 million
Worker and Customer Safety – Counseling services	\$1.5 million

Food Assistance	\$5.4 million
Rental Assistance – Residential	\$23.95 million
Rental Assistance – Commercial	\$1 million
Utility Bill Assistance	\$10 million
Workforce Development	\$2 million”

The following direction was provided by Council Member Tovo and accepted without objection:

“Excluding the Rental Assistance, Financial and/or Direct Support, and Child Care Service Provider categories, the City Manager is directed to maintain the flexibility to reduce or reallocate proposed funding within the COVID spending framework categories to meet critical needs and priorities as they emerge.”

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

“Any 501c(3) that provides direct services should be eligible to apply for the anchor funds. The mere use of the word ‘member’ or the word ‘foundation’ in their name or program description should not automatically disqualify an organization.”

The following direction was offered by Council Member Harper-Madison and accepted without objection:

“The Purchasing Department is directed to consider including a better scoring process for emergency procurement.”

Resolution No. 20200604-040 was approved as amended on Council Member Casar’s motion, Mayor Pro Tem Garza’s second on an 11-0 vote.

EMINENT DOMAIN

20. Approve a resolution authorizing the filing of eminent domain proceedings for the South Austin Regional WWTP Sludge Transfer Line and Reclaimed Water Line Project for the public use of ensuring the continued safe and reliable service of the sludge transfer line and the reclaimed water line between the South Austin Regional Wastewater Treatment Plant and Hornsby Bend Biosolids Management Plant, the acquisition of approximately 0.6505 acre (28,338 square feet) for a reclaimed line easement, 0.6462 acre (28,147 square feet) for a wastewater easement, 3.516 acre (153,172 square feet) for a temporary working space, staging area and material storage site easement and 9.674 acre (421,411 square feet) for a temporary access easement in the amount of \$88,452. The owners of the needed property are TXI Operations, LP. The property is located at 13101 Harold Green Road, Austin, Texas 78725. The general route of the project is at the entrance of the South Austin Regional Wastewater Treatment Plant at 1017 Fallwell Lane, Austin TX 78617. The pipes will be run underground crossing Fallwell Lane and the Colorado River in a northwest direction within the Austin 2-mile Extraterritorial Jurisdiction, Travis County, Texas. Resolution No. 20200604-020 was approved on Council Member Renteria’s motion, Council Member Ellis’ second on an 11-0 vote.

PUBLIC HEARINGS CONTINUED

21. Conduct 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 E. Slaughter Lane and Capitol View Drive, within the City's extraterritorial jurisdiction; and consider a resolution that relates to the proposed development.
The public hearing was conducted and a motion to close the public hearing and approve Resolution 20200604-021 was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
22. Conduct 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; and consider a resolution related to the proposed development, the application, and the allocation of housing tax credits and private activity bonds.
The public hearing was conducted and a motion to close the public hearing and approve Resolution 20200604-022 was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
23. Conduct 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; and consider a resolution related to the proposed development, the application, and the allocation of housing tax credits and private activity bonds within the City and near the proposed development. District(s) Affected: District 4.
The public hearing was conducted and a motion to close the public hearing and approve Resolution 20200604-023 was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
24. Conduct 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; and consider a resolution related to the proposed development, the application, and the allocation of housing tax credits and private activity bonds within the City and located near the proposed development. District(s) Affected: District 2.
The public hearing was conducted and a motion to close the public hearing and approve Resolution 20200604-024 was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
51. Conduct a public hearing to consider an ordinance amending Chapter 25-12 (Technical Codes) to adopt the 2018 International Swimming Pool & Spa Code and local amendments; and amending Chapter 10-7 (Pools and Spas) to conform with the amendments to Chapter 25-12 (Technical Codes).

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200604-051 was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

Mayor Adler recessed the Council Meeting at 2:48 p.m.

Mayor Adler reconvened the Council Meeting at 3:04 p.m.

Mayor Adler recessed the Council Meeting at 6:04 p.m.

Mayor Adler reconvened the Council Meeting at 7:05 p.m.

DISCUSSION ITEMS CONTINUED

7. Approve a resolution authorizing the application for and acceptance of \$430,685 in grant funding from the Texas Motor Vehicle Crime Prevention Authority to continue the Austin Police Department Auto Burglary and Theft Interdiction Project.
Resolution No. 20200604-007 was approved on Council Member Renteria's motion, Council Member Pool's second on a 7-4 vote. Those voting aye were: Mayor Adler and Council Members Alter, Ellis, Kitchen, Pool, Renteria, and Tovo. Those voting nay were: Mayor Pro Tem Garza and Council Members Casar, Flannigan, and Harper-Madison.

Mayor Adler adjourned the meeting at 11:09 p.m. without objection.

The minutes were approved on this the 11th day of June 2020 on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.