



**Tuesday, July 28, 2020**

The City Council Work Session will convene at 9:00  
AM on Tuesday, July 28, 2020 via videoconference



Mayor Steve Adler  
Mayor Pro Tem Delia Garza  
Council Member Natasha Harper-Madison  
Council Member Sabino "Pio" Renteria  
Council Member Gregorio Casar  
Council Member Ann Kitchen  
Council Member Jimmy Flannigan  
Council Member Leslie Pool  
Council Member Paige Ellis  
Council Member Kathie Tovo  
Council Member Alison Alter

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

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

**A. Pre-Selected Agenda Items**

**B. Briefings**

**B1.** Briefing on Covid-19 related matters, including a report on nursing homes.

**B2.** Update on St. Johns Home Depot Site

**C. Council Items of Interest**

**D. Council Discussion**

**D1.** Discussion about the fiscal year 2020-2021 proposed budget and tax rate.

**E. Executive Session**

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

**E2.** Discuss legal issues related to the November 2020 election (Private consultation with legal counsel - Section 551.071 of the Government Code).

**E3.** Discuss legal issues related to SJ Louis, Construction of Texas, LTD. v. City of Austin v. Liberty Mutual Fire Insurance Company v. Kellogg Brown & Root Services, Inc., Espey Consultants, Inc and KBR/Espey Joint Venture, Cause No. D-1-GN-18-001121, in the 459th Judicial District, Travis County (Private consultation with legal counsel-551.071 of the Government Code).

**E4.** Discuss legal issues related to Wells v. City of Austin, Cause No. 1: 19-cv-1140-RP in the United States District Court, Western District, Austin, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

**E5.** Discuss legal issues related to Salazar v. City of Austin et al, Cause No. D-1-GN-17-002576 in the 98th Judicial District, Travis County; 1:20-cv-00730 in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).

**E6.** Discuss legal issues related to McMiller v. City of Austin, Cause No. D-1-GN-17-002576 in the 353rd Judicial District, Travis County Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

**Adjourn**

## Consent Agenda

### Approval of Minutes

1. Approve the minutes of the Austin City Council special called of May 28, 2020, special called of June 4, 2020, work session of June 9, 2020, special called of June 10, 2020, regular meeting of June 11, 2020, special called of June 29, 2020, special called of July 9, 2020, discussion of July 13, 2020, and special called of July 16, 2020.

### Austin Water

2. Approve an ordinance amending City Code Chapter 15-10 Wastewater Pretreatment Regulations to maintain compliance with federal and state regulations.  
Strategic Outcome(s): Government That Works For All.
3. Authorize an increase to the City's participation in the cost participation agreement with Philip Boghosian Living Trust to a maximum amount not to exceed \$6,797,190 for costs associated with the design and construction of an oversized wastewater interceptor, lift station and force main related to Service Extension Request No. 4038R that will provide wastewater service to a proposed mixed use development located at Slaughter Lane and Thaxton Road.  
Strategic Outcome(s): Government that Works for All.  
District(s): District 2
4. Authorize negotiation and execution of a financing agreement with the Texas Water Development Board (TWDB) for a 20-year low-interest loan in the amount of \$16,995,000 through TWDB's State Water Implementation Fund for Texas (SWIFT) loan program, for the implementation of Austin Water's Advanced Metering Infrastructure (AMI) program, aka Austin's Smart Water Meter System (My ATX Water).  
Strategic Outcome(s): Government that Works for All.

### Capital Contracting Office

5. 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 renovations and additions to the Asian American Resource Center.

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

Strategic Outcome(s): Culture and Lifelong Learning; Government that Works for All; Economic Opportunity and Affordability.

District(s): District 1

6. Authorize award and execution of a construction contract with Westar Construction, Inc., for the Glenlake Pump Station Bypass Improvements project in the amount of \$672,760.50 plus a \$67,276.05 contingency, for a total contract amount not to exceed \$740,036.55.

[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 11.12% MBE and 27.44% WBE participation.]

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

**District(s):** District 6; District 10

7. Authorize award and execution of a construction contract with Rider Construction Group, LLC, for the Emma Long Metropolitan Park - Phase I Implementation project in the amount of \$2,256,787.50 plus a \$225,678.75 contingency, for a total contract amount not to exceed \$2,482,466.25.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 69.19% MBE and 3.59% WBE participation.]

**Strategic Outcome(s):** Government that Works for All; Culture and Lifelong Learning.

**District(s):** District 10

8. Authorize award and execution of a construction contract with Alpha Paving Industries, LLC (MBE), for the Utility Cut Asphalt Repair Indefinite Delivery/Indefinite Quantity contract in the amount of \$1,000,000 for an initial one-year term, with three, one-year extension options of \$1,000,000 each, for a total contract amount not to exceed \$4,000,000.

[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 9.72% MBE and 1.27% WBE participation.]

**Strategic Outcome(s):** Health and Environment; Safety.

9. Authorize award and execution of a construction contract with Santa Clara Construction Ltd. (MBE) for the Harmon Avenue Area Water and Wastewater System Renewal project in the amount of \$3,153,641.80 plus a \$315,364 contingency, for a total contract amount not to exceed \$3,469,005.80.

[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 72.95% MBE and 0.83% WBE participation.]

**Strategic Outcome(s):** Health and Environment.

**District(s):** District 4; District 9

10. Authorize award and execution of a construction contract with Santa Clara Construction, Ltd. (MBE), for the IDIQ Stormwater Infrastructure Maintenance - Open Systems (2020) contract in the amount of \$3,000,000 for an initial one-year term, with three, one-year extension options of \$3,000,000 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 10.19% MBE and 2.11% WBE participation.].

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

11. Authorize additional contingency funding for the construction contract with Rider Construction Group, LLC, for the Walsh Boat Landing - Site Improvements project in the amount of \$30,000 for a total contract amount not to exceed \$1,315,043.

[Note: This contract was awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Business Enterprise Procurement Program). Current Participation to date is 22.94% MBE and 0.20% WBE].

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

12. Approve a resolution finding the use of the competitive sealed proposal method of contracting, as authorized by Subchapter D, Chapter 2269 of the Texas Government Code, as the project delivery method that provides the best value to the City for the Town Lake Metro Park Seaholm Intake Facility Phase 1 Rehabilitation project to rehabilitate this historic structure.

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

Strategic Outcome(s): Culture and Lifelong Learning; Health and Environment

District(s): District 9

13. Authorize negotiation and execution of a professional services agreement with the following 13 staff-recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP302: Terracon Consultants, Inc.; Engineering Consulting Services, Ltd. dba ECS Southwest, LLC; Rodriguez Engineering Laboratories, LLC (MBE); Kleinfelder, Inc.; PaveTex Engineering, LLC dba PaveTex; Fugro USA Land, Inc.; Arias & Associates, Inc. (MBE); Holt Engineering, Inc. (WBE); HVJ South Central Texas-M&J, Inc.(MBE); Rock Engineering & Testing Laboratory, Inc.; Professional Service Industries, Inc.; Wiss, Janney, Elstner Associates, Inc.; and DeSimone Consulting Engineering Group, LLC.; for engineering services for the 2020 CIP Construction Materials Testing, Geotechnical, and Forensic Engineering Services Rotation List in an amount not to exceed \$25,000,000.

[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 7.62% MBE and 3.62% WBE participation. MBE/WBE Goals were established for Category A, and, Category B. Although No Goals were established for Category C, Chapter 2-9B will apply if applicable.]

Strategic Outcome(s): Mobility

14. Authorize negotiation and execution of a professional services agreement with the following six staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP298: MWM Design Group, Inc. (WBE); Sunland Group, Inc. (WBE); Weiss Architecture, Inc.; Energy Engineering Associates, Inc. dba EEA Consulting Engineers; Encotech Engineering Consultants, Inc. (MBE); and Goodwin Engineering, Inc.; for architectural and engineering services for the 2020 Job Order Contracting Professional Services Rotation List in an amount not to exceed \$7,000,000.

[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

15.80% MBE and 15.80% WBE participation.]

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

15. Authorize negotiation and execution of a professional services agreement with AECOM Technical Services, Inc. (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP300 to provide engineering services for the Walnut Creek Wastewater Treatment Plant Expansion to 100 Million Gallons Per Day project in an amount not to exceed \$15,000,000.

[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 15.80% MBE and 15.80% WBE participation.]

**Strategic Outcome(s):** Health and Environment

**District(s):** District 1

16. Authorize negotiation and execution of a construction manager at risk agreement with SpawGlass Contractors, Inc., for preconstruction and construction services for the Faulk Library/Austin History Center Archival Repository Expansion project in an amount not to exceed \$12,600,000.

[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 19.80% MBE and 6.60% WBE participation.]

**Strategic Outcome(s):** Government that Works for All; Culture and Lifelong Learning

**District(s):** District 9

17. Authorize negotiation and execution of a professional services agreement with Joint Venture of Miro Rivera Architects Inc. and Tatiana Bilbao SC (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP297, to provide professional design services for renovation and expansion of the Emma S. Barrientos Mexican American Culture Center in an amount not to exceed \$2,500,000.

[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 25.25% MBE and 27.50% WBE participation.]

**Strategic Outcome(s):** Culture and Lifelong Learning; Government that Works for All.

**District(s):** District 9

18. Authorize negotiation and execution of an amendment to the professional services agreement with URS Corporation for engineering services for the Redbud Trail Bridge over Lady Bird Lake project in the amount of \$9,279,993, for a total contract amount not to exceed \$11,293,575.

[Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 4.17% MBE and 2.74% WBE.]

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

**District(s):** District 8; District 10

19. Approve a resolution finding the use of the competitive sealed proposal method of contracting, as authorized by Subchapter D, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the construction of the new Greater Austin Area Telecommunications Network Agency Network Operations Control Center.

(Note: This procurement will be exempt from the City's MBE/WBE Program requirements as a public health and safety purchase.)

Strategic Outcome(s): Health and Environment.

District(s): District 9

### **Communications and Technology Management**

20. Authorize execution of an interlocal agreement with Blanco County authorizing the City to perform installation, maintenance and repair services for the County's radio communication equipment consistent with the Greater Austin/Travis County Regional Radio System.

Strategic Outcome(s): Safety; Government that Works for All

21. Authorize execution of an interlocal agreement with Manor Independent School District (Manor ISD) authorizing City of Austin to perform communication equipment installation, maintenance and repair services for Manor ISD. Manor ISD will reimburse City of Austin for service provided and parts used.

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

### **Economic Development Department**

22. Approve an ordinance amending the Fiscal Year 2019-2020 Economic Development Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept and appropriate \$250,000 in grant funds from the U.S. Embassy in Egypt for the ATX+EGY: Launch Grant Program to provide training and development for Austin businesses.

Strategic Outcome(s): Economic Opportunity and Affordability.

23. Approve a resolution amending the Resolution No. 20200507-023 criteria for the Childcare Fund to remove the 2-star rating and to allow businesses to apply that have received SBA Paycheck Protection Program funding.

Strategic Outcome(s): Economic Opportunity and Affordability.

24. Authorize execution of an interlocal agreement with Texas Facilities Commission for services provided by the Center for Alternative Financing and Procurement to support the Creative Space Acquisition and Improvements process in an amount not to exceed \$500,000.

Strategic Outcome(s): Economic Opportunity and Affordability.

### **Financial Services**

25. Approve a resolution adopting the Indian Hills Public Improvement District 2021 Annual Service and Assessment Plan Update, including the apportionment of the assessments among subdivided assessed parcels within the District.

Strategic Outcome(s): Economic Opportunity and Affordability.

**District(s):** District 1

26. Approve a resolution adopting Whisper Valley Public Improvement District 2021 Annual Service and Assessment Plan Update and apportionment of the assessments among parcels within the District.

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

**District(s):** District 1

27. Approve a resolution adopting the Estancia Hill Country Public Improvement District 2021 Annual Service and Assessment Plan Update and apportionment of the assessments among parcels within the District.

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

**District(s):** District 5

## **Fire**

28. Approve an ordinance authorizing acceptance of \$242,268 in grant funds from the Federal Emergency Management Agency Assistance to Firefighters Grant and amending the Fiscal Year 2019-2020 Austin Fire Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to appropriate \$242,268 for expenses related to purchases of personal protective equipment.

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

29. Approve an ordinance amending the Fiscal Year 2019-2020 General Fund Operating Budget (Ordinance No. 20190910-001) to decrease the transfer out of \$5,000,000 to the Budget Stabilization Reserve Fund; and appropriating \$5,000,000 to increase expenditures in the Fiscal Year 2019-2020 Austin Fire Department Operating Budget (Ordinance No. 20190910-001) for additional funds to cover personnel expenditures; and amending the Budget Stabilization Reserve Fund Operating Budget (Ordinance No. 20190910-001) decreasing the transfer in of \$5,000,000 from the General Fund Operating Budget.

**Strategic Outcome(s):**

Safety.

## **Homeland Security & Emergency Management**

30. Authorize the execution of an interlocal agreement with Travis County regarding the purchase of personal protective equipment.

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

## **Human Resources**

31. Authorize negotiation and execution of a 24-month interlocal agreement with the Texas Department of Public Safety to provide criminal history reporting services for a total contract amount not to exceed \$116,000.

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

32. Authorize negotiation and execution of a 12-month interlocal agreement with the Capital



Metropolitan Transportation Authority (Capital Metro), to allow City employees access to Capital Metro's transportation services in an amount not to exceed \$530,000, with four 12-month extension options in an amount not to exceed \$530,000 for each extension option for a total amount not to exceed \$2,650,000.

**Strategic Outcome(s):** Government That Works For All.

## **Law**

33. Approve settlements in City of Austin v. Billie Joe Figer et. al., Cause No. C-1-CV-18-002185 in County Court No. 2 of Travis County, Texas, and City of Austin v. Billie Joe Figer et. al., Cause No. C-1-CV-19-5423; Condemnation Proceeding in Travis County Probate Court No. 1.

**Strategic Outcome(s):** Government That Works For All.

34. Authorize negotiation and execution of an amendment to the legal services agreement with Laurie Ratliff, LLC for legal services related to Zaatari et al v. City of Austin et al, Cause No. 03-17-00812-CV in the Third Court of Appeals, Austin in an amount of \$89,550 for a total contract amount not to exceed \$150,550.

**Strategic Outcome(s):** Government That Works For All.

## **Neighborhood Housing and Community Development**

35. Approve a resolution amending the City's Fiscal Year 2019-20 Action Plan and Fiscal Year 2019-2024 Consolidated 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 to reprogram existing funding from the U.S. Department of Housing and Urban Development; and authorizing the City Manager to negotiate with the federal government to receive CARES Act funds.

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

## **Office of Real Estate Services**

36. Authorize negotiation and execution of all documents and instruments necessary or desirable to accept 215.148 acres out of the T.J. Chambers Survey, Abstract No. 7 and the Albert Sillsbe, Abstract No. 744, in Travis County, Texas, known as the Bright Leaf Preserve, located at 4113 Old Bull Creek Road, from Austin Community Foundation.

**Strategic Outcome(s):** Health and Environment.

**District(s):** District 10

37. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire in fee simple Lot 3, Resubdivision of Lot 1 Westcreek Section 10, Phase G, according to the map or plat thereof, recorded in Volume 88, Page(s) 198 of the plat records of Travis County, Texas, located 4616 W. William Cannon Drive, Austin, Texas from Brodie Animal Hospital, L.P., a Texas limited partnership, for a total amount not to exceed \$1,241,103.00, including closing costs.

**Strategic Outcome(s):** Health and Environment.

**District(s):** District 8

38. Authorize negotiation and execution of all documents and instruments necessary or desirable to

acquire in fee simple Lot 1, Chapman's Acre, a subdivision in Travis County, Texas according to the map or plat thereof, recorded in Volume 32, Page 26 of the plat records of Travis County, Texas, except for 266 square feet of land, more or less, conveyed to the City of Austin by instrument recorded in Volume 5158, Page 2033, Deed Records of Travis County, Texas, located at 8803 Georgian Drive, Austin, Texas from Andy Quang Anh Bui, for a total amount not to exceed \$361,000, including closing costs.

**Strategic Outcome(s):** Health and Environment.

**District(s):** District 4

39. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire in fee simple Lot 2, Chapman's Acre, a subdivision in Travis County, according to the map or plat thereof, recorded in Volume 32, Page 26 of the plat records of Travis County, Texas, located 8805 Georgian Drive, Austin, Texas from Michael J. Mullin and Deborah S. York, for a total amount not to exceed \$231,826.00, including closing costs.

**Strategic Outcome(s):** Health and Environment.

**District(s):** District 4

## **Parks and Recreation**

40. Approve the renaming of the Metz Recreation Center to the Rodolfo “Rudy” Mendez Recreation Center.

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

**District(s):** District 3

41. Authorize the execution of an amendment to the interlocal agreement with the Capital Area Council of Governments for the service and delivery of meals to the Parks and Recreation Department in the amount of \$367,134, for a total annual contract amount not to exceed \$367,134.

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

**District(s):** District 1; District 2; District 4; District 3; District 5

42. Authorize the negotiation and execution of a community facilities and cost reimbursement agreement with Pressler RRI, L.P. for the construction of pedestrian and bicycle trail at Lamar Beach at Town Lake Metro Park and a trail head around the intersection of 5th Street and Pressler Street, for a contract amount not to exceed \$255,909.50.

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

**District(s):** District 9

## **Police**

43. Authorize negotiation and execution of an interlocal agreement with Austin-Travis County Mental Health and Mental Retardation Center d/b/a Integral Care to provide staff to assist the Austin Police Department with handling 9-1-1 calls for mental health emergencies.

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

## **Public Health**

44. Authorize negotiation and execution of an agreement with Breakthrough Central Texas to provide out-of-school-time services to youth in the Dove Springs community in an amount not to exceed \$65,000 for the term August 1, 2020 through September 30, 2021.  
Strategic Outcome(s): Health and Environment.
45. Approve an ordinance amending the Fiscal Year 2019-2020 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept and appropriate an additional \$20,543 in 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 and utility assistance, and preventive health services to low-income residents affected by the COVID-19 pandemic.  
Strategic Outcome(s): Health and Environment; Economic Opportunity and Affordability.
46. Approve an ordinance amending the Fiscal Year 2019-2020 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept and appropriate \$518,617 in grant funds from the Texas Department of State Health Services to support the Coronavirus 2019 epidemiology response.  
Strategic Outcome(s): Health and Environment.
47. Approve an ordinance amending the Fiscal Year 2019-2020 Austin Public Health Department's Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept and appropriate \$837,000 in grant funds from the Office of the Assistant Secretary for Health, Office of Population Affairs for Optimally Changing the Map for Teen Pregnancy Prevention Tier 1 in Austin-Travis County.  
Strategic Outcome(s): Health and Environment.
48. Authorize negotiation and execution of an interlocal agreement with Bastrop County to provide Bastrop County access to the City's COVID-19 online self-assessment software platform to schedule and administer COVID-19 testing and vaccines for Bastrop County residents from July 6, 2020 through July 6, 2021 in an amount not to exceed \$16,684.  
Strategic Outcome(s): Safety.
49. Approve ratification of an agreement with Caritas of Austin for the ImpACT Program to provide permanent supportive housing to individuals who have experienced chronic homelessness and are the highest utilizers of crisis services in an amount not to exceed \$110,079 for the term July 1, 2020 through September 30, 2020.  
Strategic Outcome(s): Economic Opportunity and Affordability.
50. Authorize ratification of an interlocal agreement with Williamson County to provide Williams County access to the City's COVID-19 online self-assessment software platform to schedule and administer COVID-19 testing and vaccines for Williamson County residents from May 6, 2020 through July 6, 2021 in an amount not to exceed \$16,437.  
Strategic Outcome(s): Safety.
51. Approve ratification of an agreement with Front Steps to provide staffing for Protective Lodges for people experiencing homelessness who have serious underlying health conditions increasing their risk of complications and hospitalization if they contract COVID-19, in an amount not to exceed

\$904,673 for the six month term ending December 31, 2020.

**Strategic Outcome(s):** Health and Environment.

52. Approve an ordinance amending the Fiscal Year 2019-2020 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept and appropriate an additional \$10,859,249 in grant funds from the U.S. Department of Housing and Urban Development through the Emergency Solutions Grant to serve homeless individuals and those at risk of homelessness who have been economically impacted by COVID-19.

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

53. Authorize negotiation and execution of Amendment No. 6 with Family Eldercare to provide bill payer services to Austin/Travis County people with disabilities and seniors, increasing funding in an amount not to exceed \$125,308, for a total agreement amount not to exceed \$2,439,656.

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

## **Public Works**

54. Approve a resolution authorizing the submittal of the Fallwell Lane, Sand Hill Energy Center, and South Austin Regional Wastewater Treatment Plant Access and Flood Potential Mitigation projects as candidates for the Community Development Block Grant Mitigation and for the Building Resilient Infrastructure and Communities grant programs.

**Strategic Outcome(s):** Safety, Government That Works for All, Health and Environment, Mobility.

**District(s):** District 2

## **Purchasing Office**

55. Authorize negotiation and execution of a multi-term contract with EMR Elevator Inc. D/B/A EMR Elevator Excellence, to provide elevator and escalator preventive maintenance, repair, and modernization services, for up to five years for a total contract amount not to exceed \$18,590,000.

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

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

56. Authorize negotiation and execution of a multi-term contract with CareHere, LLC, to provide onsite and mobile health clinic services, for up to five years in an amount not to exceed \$6,750,000.

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

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

57. Authorize award of a multi-term contract with Techline Inc., to provide network protector rebuild

services, for up to five years for a total contract amount not to exceed \$9,100,000.

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

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

58. Authorize negotiation and execution of a cooperative contract with Freeit Data Solutions Inc., for hardware, software and support services for a data management platform, for a term of three years for a total contract amount not to exceed \$930,000.

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

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

59. Authorize an amendment to an existing contract with Overdrive Inc., for continued digital content materials and services, that would increase the contract amount by \$10,710,000 and extend the term by three years, for a revised total contract amount not to exceed \$16,020,201.

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

**Strategic Outcome(s):** Culture and Lifelong Learning; Government that Works for All.

60. Authorize negotiation and execution of a contract with Remotec Inc., for Power Hawk Assembly remote devices, in an amount not to exceed \$71,644.

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

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

61. Authorize award of a contract with NTT Enterprises, Inc. D/B/A Tyler Camera Systems, to provide a multifunctional seating platform and rappel attachment for an Austin Police Department helicopter, in an amount not to exceed \$88,750.

(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).

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

62. Authorize award of a contract with Excell Environmental Inc. D/B/A Excell Fueling Systems, to provide original equipment manufacturer parts, maintenance, repair services, and upgrades for fuel island systems and fuel storage tanks, for a term of five years for a total contract amount not to exceed \$3,500,000.

(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 goods and services required for this solicitation, there were an insufficient availability of M/WBEs; therefore, no subcontracting goals were established).

Strategic Outcome(s): Mobility; Safety.

63. Authorize negotiation and execution of a multi-term contract with Acushnet Company, to provide golf course accessories and supplies, for up to five years for a total contract amount not to exceed \$1,000,000.

(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).

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

64. Authorize award of two multi-term contracts with Texas Disposal Systems, Inc. and Balcones Recycling Inc., to provide trash, recycling, and organics collection services for City facilities, each for up to five years for total contract amounts not to exceed \$7,500,000, divided between the contractors.

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

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

65. Authorize an amendment to an existing cooperative contract with HERC Rentals, Inc., for continued rental of heavy-duty, commercial, industrial, and construction equipment, for an increase in the amount of \$789,000, for a revised total contract amount not to exceed \$1,850,000.

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

Strategic Outcome(s): Mobility.

66. Authorize an amendment to an existing contract with DirectApps, Inc. D/B/A Direct Technology, to provide continued maintenance, support and system upgrades to the workflow automation software solution for energy efficiency and solar rebate programs, for an increase in the amount of \$1,920,000 and to extend the term by five years, for a revised total contract amount not to exceed \$3,830,000.

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

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

67. Authorize negotiation and execution of a contract with NEC Corporation of America, to provide maintenance and support of the private branch telephone exchange system at the Austin-Bergstrom International Airport, for a term of five years in an amount not to exceed \$2,355,000.

(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 goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

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

68. Authorize negotiation and execution of a multi-term contract with J.D. Power, to provide customer satisfaction and benchmarking studies for residential and business utility customers, for up to five years for a total contract amount not to exceed \$506,500.

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

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

69. Authorize award of a multi-term contract with Priester-Mell & Nicholson Inc., to provide acrylic and polypropylene padlock meter seals, for up to five years for a total contract amount not to exceed \$467,000.

(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).

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

70. Authorize award of a multi-term contract with JMR Technology, Inc., to provide telephone technical support and onsite services to support the ongoing operation of the baggage handling system, for up to five years for a total contract amount not to exceed \$527,000.

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

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

71. Authorize an amendment to an existing cooperative contract with Central Texas Commercial A/C & Heating Inc., for continued chiller services, for an increase in the amount of \$400,000 for a revised

total contract amount not to exceed \$881,000.

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

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

72. Approve ratification of an emergency contract with FII-National D/B/A Family Independence Initiative, to provide direct emergency family relief services, in the amount of \$2,683,060.

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

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

73. Authorize negotiation and execution of a contract with Peter J. Park, LLC, to provide continued urban planning consulting services, including but not limited to, area planning and land development code revision, for a term of two years in an amount not to exceed \$210,000.

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

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

74. Authorize negotiation and execution of a multi-term contract with Relief Enterprise of Texas, Inc., to provide cleanup services for overpasses, under bridges, and in the transportation right of way, for up to three years for a total contract amount not to exceed \$1,725,000.

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

**Strategic Outcome(s):** Health and Environment.

75. Authorize award of a contract with MoboTrex, Inc., to provide battery backup systems for traffic signal cabinets and batteries, for a term of four years in an amount not to exceed \$3,600,000.

(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).

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

76. Authorize negotiation and execution of a multi-term contract with Health Care Service Corporation D/B/A Blue Cross Blue Shield of Texas, to provide self-funded dental plan administration services,



for up to five years for a total contract amount not to exceed \$2,153,000.

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

**Strategic Outcome(s):** Health and Environment.

77. Authorize negotiation and execution of a contract with Austin Humane Society, to provide animal sterilization and wellness services, for a term of five years for a total contract amount not to exceed \$662,500.

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

**Strategic Outcome(s):** Health and Environment.

### **Telecommunications and Regulatory Affairs**

78. Authorize the negotiation and execution of an interlocal agreement with the Austin Independent School District (AISD) to contribute up to \$378,400.00 from fees collected by the City from Austin's cable providers for AISD's purchase of capital equipment necessary for the operation of the AISD educational access channel.

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

### **Transportation**

79. Authorize negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority to share traffic data and video for use in traffic congestion management activities.

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

### **Transportation - Mobility Bond**

80. Authorize award and execution of a construction contract with M.A. Smith Contracting Co., Inc. for the 2016 Mobility Bond - Bicycle and Pedestrian Improvements Indefinite Delivery/Indefinite Quantity contract in the amount of \$4,000,000 for an initial two-year term, with three, one-year extension options of \$2,000,000 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 7.81% MBE and 1.82% WBE participation.]

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

**District(s):** District 1; District 2; District 3; District 4; District 5; District 7; District 8; District 9

81. Authorize negotiation and execution of a professional services agreement with the following five staff

recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP301: MWM Design Group, Inc. (WBE), HDR Engineering, Inc., RPS Infrastructure, Inc., Civiltude, LLC (MBE), and Pape Dawson Engineers, Inc. for engineering services for the 2020 Local Mobility Field Engineering Services Rotation List in an amount not to exceed \$9,000,000.

[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 15.80% MBE and 15.80% WBE participation.]

Strategic Outcome(s): Mobility; Safety.

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

- 82.** 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.

- 83.** Approve a resolution affirming the new vision for the St. John Property, supporting the City Manager's decision to initiate a Request for Proposals process, and initiating rezoning and Future Land Use Map (FLUM) amendments for the properties located at 7211 North IH-35 and 7309 North IH-35 to commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district.

Sponsors: Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, Council Member Natasha Harper-Madison, and Council Member Kathie Tovo

- 84.** Approve a resolution approving amendments to the bylaws of Austin Convention Enterprises, Inc.

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

- 85.** Approve a resolution establishing the Juneteenth holiday as a City holiday each year beginning in 2021.

Sponsors: Council Member Natasha Harper-Madison, Mayor Steve Adler, Council Member Jimmy Flannigan, Council Member Kathie Tovo, and Mayor Pro Tem Delia Garza

- 86.** Approve a resolution initiating an amendment to City Code Chapter 25-4 (Subdivision) to provide an exception from platting and to waive the requirement for Land Use Commission review if necessary to return the ordinance to City Council on September 3, 2020.

Sponsors: Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Alison Alter, Council Member Leslie Pool, and Council Member Sabino "Pio" Renteria

- 87.** Approve a resolution directing the City Manager to convene a collaborative working group to develop recommendations regarding amendments to the food enterprise permitting process and related fees for charitable feeding organizations and encouraging the City Manager to cease enforcement, in order to reduce the barriers of providing access to healthy foods for our community's vulnerable and food insecure populations

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

- 88.** Approve a resolution directing the City Manager to bring for Council consideration an ordinance

amending City Code Section 4-9-1(B) to remove Designated Areas where public consumption of alcohol is prohibited.

**Sponsors:** Council Member Natasha Harper-Madison, Mayor Steve Adler, Council Member Kathie Tovo, Council Member Sabino "Pio" Renteria, and Council Member Paige Ellis

89. Approve a resolution directing the City Manager to develop recommendations and take action to address the current and imminent child care challenges brought about by COVID-19.

**Sponsors:** Mayor Steve Adler, Council Member Alison Alter, Mayor Pro Tem Delia Garza, Council Member Natasha Harper-Madison, and Council Member Kathie Tovo

90. Approve a resolution directing the City Manager to enhance funding for displacement mitigation and provide options for implementing and funding active transportation.

**Sponsors:** Council Member Paige Ellis, Council Member Natasha Harper-Madison, Council Member Sabino "Pio" Renteria, Mayor Steve Adler, and Council Member Gregorio Casar

91. Approve a resolution directing the City Manager to take certain actions related to renaming city assets that are in memoriam of white supremacy or confederate history.

**Sponsors:** Council Member Natasha Harper-Madison, Council Member Ann Kitchen, Council Member Kathie Tovo, Mayor Pro Tem Delia Garza, and Council Member Paige Ellis

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

92. Set a public hearing related to an application by Bridge at Turtle Creek, 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 Bridge at Turtle Creek, located at or near 735 Turtle Creek Boulevard, Austin, Texas, 78745, within the City (Suggested date: Thursday, August 27, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas).

**District(s):** District 2

93. Set a public hearing related to an application by MHP City Heights, Ltd., or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program, to be known as City Heights, located at or near 4400 Nuckols Crossing Road, Austin, Texas, 78744, within the City (Suggested date: Thursday, August 27, 2020, Austin City Hall, 301 W. 2nd Street, Austin, Texas).

**District(s):** District 2

94. 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 Crystal Bend Apartments, located at or near 2313 & 2405 Crystal Bend Drive, Pflugerville, TX 78660, within the City's extraterritorial jurisdiction (Suggested date: Thursday, August 27, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas).

95. Set a public hearing related to an application by Montopolis Apartments, L.P., or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Montopolis Affordable Multifamily, located at or near the southwest corner of Ben White Boulevard and Montopolis Drive, within the City (Suggested date: Thursday, August 27, 2020, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).

District(s): District 3

96. Set a public hearing to consider an ordinance amending City Code Title 25 related to demolition permits, including notification and utility service requirements. (Suggested date: August, 27, 2020 at 301 W. Second Street, Austin, Texas)

## Non-Consent

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

97. Approve bylaw changes for the Historic Landmark Commission.

Sponsors: Audit and Finance Committee

## Eminent Domain

98. Approve a resolution authorizing the filing of eminent domain proceedings for the Upper Bull Creek Greenbelt Project for the fee simple acquisition of two tracts of land being approximately 11.390 acres (496,148 square feet). Tract No. 1: being 5.000 acres of land, more or less, out of the JOSEPH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 (sometimes incorrectly referenced as also being out of the James Coleman Survey No. 25, Abstract No. 169), Travis County, Texas; being that same property conveyed and described in Warranty Deed to Mark T. McAfee and Melanie O. McAfee, recorded in Volume 12604, Page 502, Real Property Records, Travis County, Texas. Tract No. 2: being 6.390 acres of land, more or less, out of the JOSPEH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 and the JAMES COLEMAN SURVEY NO. 25, ABSTRACT NO. 169, Travis County, Texas; being that same property conveyed and described in Warranty Deed to Mark T. McAfee and Melanie D. McAfee, recorded in Volume 12612, Page 643, Real Property Records, Travis County, Texas, in the amount of \$4,500,000, for the public use of park and recreation purposes. The owner of the needed property is 6315 Spicewood LP, a Texas Limited Partnership. The property is located entirely in District 10, at 6315 Spicewood Springs Road, Austin, Travis County, Texas 78759. The general route of the project is Northwest of loop 360 and South of Spicewood Springs. It will complete the Upper Bull Creek Greenbelt from Loop 360 to Canyon Vista Middle School.

Strategic Outcome(s): Health and Environment.

## Austin Housing and Finance Corporation Meeting

99. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <http://austintexas.gov/departments/city-council/2020/20200729-ahfc.htm>).

## Executive Session

100. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
101. Discuss legal issues related to the November 2020 election (Private consultation with legal counsel -

Section 551.071 of the Government Code).

- 102.** Discuss legal issues related to SJ Louis, Construction of Texas, LTD. v. City of Austin v. Liberty Mutual Fire Insurance Company v. Kellogg Brown & Root Services, Inc., Espey Consultants, Inc and KBR/Espey Joint Venture, Cause No. D-1-GN-18-001121, in the 459th Judicial District, Travis County (Private consultation with legal counsel-551.071 of the Government Code).
- 103.** Discuss legal issues related to Wells v. City of Austin, Cause No. 1: 19-cv-1140-RP in the United States District Court, Western District, Austin, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
- 104.** Discuss legal issues related to Salazar v. City of Austin et al, Cause No. D-1-GN-17-002576 in the 98th Judicial District, Travis County; 1:20-cv-00730 in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).
- 105.** Discuss legal issues related to McMiller v. City of Austin, Cause No. D-1-GN-17-002576 in the 353rd Judicial District, Travis County Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

## Consent Agenda

### Economic Development Department

106. Approve ratification of a contract with Texas Accountants and Lawyers for the Arts to administer the Creative Worker Relief grant program to disburse emergency funds to individual creative workers in need of relief as a result of the COVID-19 pandemic in an amount not to exceed \$100,000 with an option to amend and extend the term and adjust the administrative fee should additional grant funds become available.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 1; District 10; District 2; District 3; District 4; District 5; District 6; District 7; District 8; District 9

### Office of Real Estate Services

107. Ratify the execution of Amendment No. 1 and Amendment No. 2 to the agreement with Hotel USA Partners LLC, DBA Crowne Plaza Austin, for the City to occupy the real property located at 6121 N. Interstate Highway 35 for emergency housing, isolation, and support services related to COVID-19 for a 60-day term, with an option to extend for three (3) additional one-month terms, for an amount not to exceed \$5,250,456.00.

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

District(s): District 4

### Public Health

108. Authorize the ratification of Amendment 1 with Austin Area Urban League to provide direct financial assistance to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$500,000 for the current term ending on September 30, 2020, for a total contract amount of \$1,000,000.

Strategic Outcome(s): Economic Opportunity and Affordability.

109. Authorize the ratification of an agreement with Family Independence Initiative to provide direct financial assistance to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$500,000 for the term July 15, 2020 through August 31, 2020.

Strategic Outcome(s): Economic Opportunity and Affordability.

110. Authorize the ratification of an agreement with El Buen Samaritano Episcopal Mission to provide direct financial assistance to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$1,000,000 for the term July 15, 2020 through August 31, 2020.

Strategic Outcome(s): Economic Opportunity and Affordability.

### Purchasing Office

111. Authorize negotiation and execution of a contract with Waters Technologies Corporation, for the purchase of an ultra-performance liquid chromatograph-mass spectrometer, in an amount not to exceed \$214,582.

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

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

## **Sustainability**

- 112.** Authorize negotiation and execution of an interlocal agreement with The University of Texas at Austin-Dell Medical School to document food access needs in Austin/Travis County as a result of COVID-19, to appropriately allocate resources to organizations serving the community, for a total contract amount not to exceed \$45,630.

**Strategic Outcome(s):** Government that Works for All, Economic Opportunity & Affordability, Health & Environment

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

- 113.** Approve a resolution declaring racism a public health crisis, directing the City Manager to address racism as a public health crisis, and asking State of Texas leaders to take similar actions.

**Sponsors:** Council Member Natasha Harper-Madison, Mayor Steve Adler, Council Member Kathie Tovo, Mayor Pro Tem Delia Garza, and Council Member Alison Alter

- 114.** Approve a resolution urging the federal government to pass the HEROES Act, or similar federal COVID-19 relief legislation, that includes additional support for communities, workers, small businesses, and local governments.

**Sponsors:** Council Member Gregorio Casar, Mayor Steve Adler, Council Member Jimmy Flannigan, Council Member Ann Kitchen, and Council Member Leslie Pool

- 115.** Approve an ordinance amending Ordinance No. 20200507-056 to extend the applicability period and the expiration date applicable to Ordinance No. 20200326-090, which relates to requiring notices of proposed eviction.

**Sponsors:** Council Member Gregorio Casar, Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Kathie Tovo, and Council Member Ann Kitchen

- 116.** Approve a resolution asking the State of Texas to address the urgent needs of the state's critical child-care infrastructure resulting from the COVID-19 pandemic.

**Sponsors:** Mayor Pro Tem Delia Garza, Mayor Steve Adler, Council Member Kathie Tovo, Council Member Alison Alter, and Council Member Natasha Harper-Madison

- 117.** Approve a resolution affirming the new vision for the St. John Property, supporting the City Manager initiating a Request for Proposals process and supporting the financial tools that may be necessary to reposition the property, and initiating rezoning and Future Land Use Map (FLUM) amendments for the properties located at 7211 North IH-35 and 7309 North IH-35 to commercial services mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district.

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

## Consent Agenda

### Economic Development Department

1. Approve a resolution adopting the South Congress Preservation and Improvement District Service and Assessment Plan and Budget update for 2021. Related to Item #14.  
Strategic Outcome(s): Economic Opportunity and Affordability.  
District(s): District 9
2. Approve a resolution adopting the East Sixth Street Public Improvement District Service and Assessment Plan and Budget update for 2021. Related to Item #15.  
Strategic Outcome(s): Economic Opportunity and Affordability.  
District(s): District 9
3. Approve a resolution adopting the Austin Downtown Public Improvement District Service and Assessment Plan and Budget update for 2021. Related to Item #16.  
Strategic Outcome(s): Economic Opportunity and Affordability.  
District(s): District 9

### Telecommunications and Regulatory Affairs

4. Approve an ordinance amending City Code Chapter 4-12 (Registration of Credit Access Businesses) to require credit services organizations to comply with City Code Chapter 4-12, creating an offense and penalty, and amending the 2019-2020 Fee Schedule in Ordinance No. 20190910-002 to add an application fee.  
Strategic Outcome(s): Economic Opportunity and Affordability.

### Transportation

5. Approve an ordinance adopting the Street Impact Fee Land Use Assumptions, Street Impact Fee Capacity Improvements Plan, Street Impact Fee Service Area Boundaries, and Street Impact Fees. Related to Item #8.  
Strategic Outcome(s): Mobility

## Non-Consent

### Public Hearings and Possible Actions

6. Conduct a public hearing and approve an ordinance for the full-purpose annexation of approximately 56 acres located in Travis County, located near 5200 McKinney Falls 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 part of an annexation and development agreement and is adjacent to Austin Council District 2.
7. Conduct a public hearing and approve an ordinance adopting the Second Amendment to the 5200 McKinney Falls Parkway Annexation and Development Agreement to release Tract 2 from the



agreement (adjacent to District 2).

8. Conduct a public hearing and consider an ordinance amending City Code Title 25 (Land Development) to include a Street Impact Fee program. Related to Item #5.
9. Conduct a public hearing and receive public comment on growth-related projects within the Drinking Water Protection Zone to be included in the FY 2020-2021 Capital Budget.
10. 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.
11. Conduct a public hearing and consider an ordinance amending City Code Section 25-13-45 relating to compatible residential uses in Airport Overlay Zone Three (AO3).
12. Conduct a public hearing and consider the proposed rate and fee changes for Austin Resource Recovery as part of the Fiscal Year 2020-2021 Proposed Budget.
13. Conduct a public hearing on the proposed water and wastewater rate changes for Austin Water as part of the Fiscal Year 2020-2021 Proposed Budget.
14. Conduct a public hearing and consider an ordinance setting the assessment rate and approving the certified 2021 assessment roll for the South Congress Preservation and Improvement District. Related to Item #1.

**District(s):** District 9

15. Conduct a public hearing and consider an ordinance setting the assessment rate and approving the certified 2021 assessment roll for the East Sixth Street Public Improvement District. Related to Item #2.

**District(s):** District 9

16. Conduct a public hearing and consider an ordinance setting the assessment rate and approving the 2021 assessment roll for the Austin Downtown Public Improvement District. Related to Item #3.

**District(s):** District 9

17. Conduct a community input session to receive public comment on the City of Austin Fiscal Year 2020-2021 Proposed Budget.

18. Conduct a public hearing to receive public comment on the City's Fiscal Year 2020-21 Action Plan; and approve a resolution that adopts the City's Fiscal Year 2020-2021 Action Plan for grant funds distributed by the U.S. Department of Housing and Urban Development and authorizes the City Manager to submit, execute, and negotiate the necessary grant applications, certifications, and other related documents.

19. Conduct a public hearing and consider a request for a waiver from the 300 foot minimum separation distance between a business selling alcoholic beverages and a school, as required by City Code Section 4-9-4(A), from Two Hands, located at 1011 S. Congress Ave., Building 2, Unit 170, a

property that is within 300 feet of the Texas School for the Deaf, a public school at 1102 S. Congress Ave.

District(s): District 9

### **Executive Session**

20. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
21. Discuss legal issues related to the November 2020 election (Private consultation with legal counsel - Section 551.071 of the Government Code).
22. Discuss legal issues related to SJ Louis, Construction of Texas, LTD. v. City of Austin v. Liberty Mutual Fire Insurance Company v. Kellogg Brown & Root Services, Inc., Espey Consultants, Inc and KBR/Espey Joint Venture, Cause No. D-1-GN-18-001121, in the 459th Judicial District, Travis County (Private consultation with legal counsel-551.071 of the Government Code).
23. Discuss legal issues related to Wells v. City of Austin, Cause No. 1: 19-cv-1140-RP in the United States District Court, Western District, Austin, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
24. Discuss legal issues related to Salazar v. City of Austin et al, Cause No. D-1-GN-17-002576 in the 98th Judicial District, Travis County; 1:20-cv-00730 in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).
25. Discuss legal issues related to McMiller v. City of Austin, Cause No. D-1-GN-17-002576 in the 353rd Judicial District, Travis County Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

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

26. C14-2019-0165 - 6207 Ross Road - Approve second and third readings of 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. First Reading approved 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 on May 21, 2020. Vote: 11-0. Owner: Webhe Properties (Najib Webhe). Applicant: South Llano Strategies (Glen Coleman). City Staff: Kate Clark, 512-974-1237.

District(s): District 2

27. C14-2020-0046 - Jollyville Apartments - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 12182 Jollyville Road (Walnut Creek Watershed). Applicant Request: To rezone from single-family residence standard lot (SF-2) district zoning to multifamily residence medium density (MF-3) district zoning. First reading

approved multifamily residence medium density (MF-3) district zoning on June 11, 2020. Vote: 11-0. Applicant/Owner: Spatz Development (David Spatz). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

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

28. C14-2020-0038 - 508 Kemp Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 508 Kemp Street (Country Club East 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. Staff Recommendation: To deny townhouse and condominium residence - neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence - neighborhood plan (SF-6-NP) combining district zoning. Owner: Johnny A. Steen. Applicant: Drenner Group (Leah M. Bojo). City Staff: Kate Clark, 512-974-1237. A valid petition has been filed in opposition to this rezoning request.

District(s): District 3

29. C14-2020-0040 - New Lot -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11833 Buckner Road (Lake Travis Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to community commercial (GR) district zoning. Staff Recommendation and Zoning and Platting Commission: To deny the rezoning. Applicant/Owner: Ramin Zavareh. City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 6

30. 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 (CS-V) combining district zoning to planned unit development (PUD) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant planned unit development (PUD) 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): District 5

31. NPA-2019-0015.02 - 3500 Pecan Springs Residential - Conduct a public hearing and approve second and third readings 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. First reading approved June 11, 2020. Vote 11-0. Owner/Applicant: Peter Gray. Agent: Ron Thrower; Thrower Design. City Staff: Jesse Gutierrez, (512) 974-1606.

District(s): District 1

32. C14-2019-0164 - Pecan Springs Residential -Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 3500 Pecan Springs Road (Fort Branch 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. First reading approved June 11, 2020. Vote 11-0. 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 case.

District(s): District 1

33. NPA-2020-0015.01 - MLK & 183 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 6121 FM 969 RD, (Walnut Creek Watershed) from Industry to Mixed Use land use. Staff recommendation and Planning Commission Recommendation: To Grant Mixed Use land use. Owner: Asero Holdings Corp., a Texas Corporation, Dale Wimmer: Agent: Ferris Clements; Armbrust & Brown, PLLC, (512) 435-2337. City Staff: Rachel Tepper, (512) 974-1485.

District(s): District 1

34. C14-2020-0017 - MLK & 183 Residential- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6121 FM Road 969 (Walnut Creek Watershed). Applicant Request: To rezone from general commercial services-neighborhood plan (CS-NP) combining district zoning and limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Owner/Applicant: Asero Holdings Corporation (Dale Wimmer). Agent: Armbrust & Brown, PLLC (Ferris Clements). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

35. NPA-2019-0016.01 - 914 Shady Lane - 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 and Planning Commission recommendation: To grant the applicant's request for Neighborhood Mixed Use and Higher Density Single Family land use. Owner/Applicant: Kimberly Beal and Stephanie Scherzer. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 3

36. 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 grant townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning (Tract 1), townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning (Tract 2A), and neighborhood commercial -mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning (Tract 2B). 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):** District 3

37. C14-2019-0107.SH - Jackie Robinson Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property 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 and Planning Commission Recommendation: To grant townhouse-condominium residential-neighborhood plan (SF-6-NP) combining district zoning. Owner/Applicant: William D. Mosley. Agent: Citrine Development LLC (Teresa Bowyer). City Staff: Heather Chaffin, 512-974-2122.

**District(s):** District 1

38. C14-2019-0152 - Castle East - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1109 West 11th Street (Shoal Creek Watershed). Applicant's Request: To rezone from multifamily residence high density-conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Planning Commission: To forward to Council without a recommendation due to lack of an affirmative vote. Owner and Applicant: East Castle Holdings, LLC (Victor Ayad). Agent: A Glasco Consulting (Alice Glasco). City Staff: Mark Graham, 512-974-3574.

**District(s):** District 9

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

**District(s):** District 3

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

**District(s):** District 3

41. 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 to 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 reviewed on August 11, 2020. Owner/Applicant: David Chapel Missionary Baptist Church. Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Maureen Meredith, (512) 974-2695..

**District(s):** District 1

42. NPA-2016-0014.01.SH - Nuckols Crossing Rd - SMART Housing-Conduct a public hearing and approve an ordinance amending Ordinance No. 20021010-11, the Southeast Combined Neighborhood Plan (Franklin Park), 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 4400 Nuckols Crossing Road (Williamson Creek Watershed) from Single Family to Multifamily land use. Staff Recommendation: To grant the applicant's request for Multifamily land use. Planning Commission Recommendation: To be reviewed on July 28, 2020. Owners: Angelos Angelou, John Sasaridis. Applicant: McDowell Housing Partners (Ariana Brendle). Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, (512) 974-2695.

**District(s):** District 2

43. C14-2017-0010.SH - Nuckols Crossing Road - SMART Housing - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 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 multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning, as amended. Staff Recommendation: To grant multifamily residence low density-neighborhood plan (MF-2-NP) combining district zoning, with conditions. Planning Commission Recommendation: To be reviewed on July 28, 2020. Owners: Angelos Angelou and John Sasaridis. Applicant: McDowell Housing Partners (Ariana Brendle). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

44. 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 East Ben White Blvd. (Country Club Creek Watershed) from Single Family to Commercial land use, as amended on June 23, 2020. Staff Recommendation: To grant applicant's amended request for Commercial land use. Planning Commission Recommendation: To deny Mixed Use land use (Per Applicant's original application). 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): District 3

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

District(s): District 3

46. 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 July 28, 2020. Owner/Applicant: Powell-Corbert LLC (William Corbert). Agent: Coats-Rose (John Joseph). Staff: Mark Graham, 512-974-3574.

District(s): District 9

47. C14-2020-0031.SH E MLK Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5201 East Martin Luther King Jr. Boulevard (Fort Branch Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning, as amended. Staff Recommendation and Planning Commission Recommendation: To grant multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. Owner/Applicant: 5201 E MLK LP (Ryan Walker). Agent: Thrower Designs (Ron Thrower). City Staff: Heather Chaffin,

512-974-2122.

**District(s):** District 1

- 48.** 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 and community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-historic landmark-neighborhood plan (GR-MU-H-NP) combining district zoning and community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning, with conditions. Historic Landmark Commission Recommendation: To deny community commercial-mixed use-historic landmark-neighborhood plan (GR-MU-H-NP) combining district zoning and community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed July 28, 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):** District 9

- 49.** 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 High Density Single Family land use. Staff Recommendation and Planning Commission Recommendation: To Grant High Density Single Family land use. Owner: Heflin Phase I LLC: Agent: Ron Thrower; Thrower Design. City Staff: Kathleen Fox, (512) 974-7877.

**District(s):** District 1

- 50.** C14-2020-0022- 5010 & 5102 Heflin Lane - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5010 and 5102 Heflin Lane (Fort Branch Watershed). Applicant Request: To rezone from single family residence-small lot -neighborhood plan (SF-4A-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff recommendation: to grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: to grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Owner/Applicant: Heflin Phase 1, LLC (Lynn Yuan). Agent: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122.

**District(s):** District 1

- 51.** C14-2020-0058 - 4201 Felter Lane - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 4201 Felter Lane (Onion Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to



limited industrial services (LI) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial services (LI) district zoning. Owner: Brookfield Properties, Figueroa at Wilshire. Agent: Jackson Walker LLP (Pam Madere). City Staff: Wendy Rhoades, 512-974-7719.

**District(s):** District 2

52. C14-2019-0162 - Slaughter and Cullen - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 166 West Slaughter Lane and 9012 Cullen Lane (Slaughter Creek Watershed). Applicant's Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation To grant community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Owner: LG Slaughter and Cullen LLC (Rob Pivnick). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Wendy Rhoades, 512-974-7719.

**District(s):** District 2

53. C14-2020-0049 - Planet K South Pop Rezone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1516 South Lamar Boulevard (West Bouldin Creek Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning and community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales (CS-1) district zoning. Owner: AusPro Enterprises LP (Michael Kleinman). Applicant: Moncada Enterprises (Phil Moncada). City Staff: Kate Clark, 512-974-1237.

**District(s):** District 5

54. C14-2020-0029 - Montopolis Acres Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1013 and 1017 Montopolis Dr (Carson 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. Staff Recommendation: To grant townhouse and condominium residence - neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: Granted Staff's request for indefinite postponement. Owner: Montopolis Acres LP (Danny Walker). Applicant: Thrower Design (A. Ron Thrower). City Staff: Kate Clark, 512-974-1237.

**District(s):** District 3

55. C14-2020-0030 - 200 Montopolis Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 200 Montopolis Drive and 6208 Clovis Street (Country Club East and Colorado River Watersheds). 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. Staff Recommendation: To grant townhouse and condominium residence - neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To be reviewed July 28, 2020. Owner/Applicant: Nine Banded Holdings LLC (Taylor Jackson) Agent: Thrower Design

(A. Ron Thrower). City Staff: Kate Clark, 512-974-1237.

District(s): District 3

56. C14-2020-0039 - Clovis and Kemp Rezone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6201 Clovis Street and 301 Kemp Street (Country Club East 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. Staff Recommendation: To grant townhouse and condominium residence - neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To be heard on July 28, 2020. Owner: 3SC Venture LLC (Gary O'Dell). Applicant: Thrower Design (A. Ron Thrower). City Staff: Kate Clark, 512-974-1237.

District(s): District 3

57. C14-2020-0044 - Saxon Acres Residential Zoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 316 Saxon Lane & 6328 El Mirando Street (Country Club East and Colorado River Watersheds). 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. Staff Recommendation: To grant townhouse and condominium residence - neighborhood plan (SF-6-NP) combining district zoning. Planning Commission Recommendation: To be heard on July 28, 2020. Owner: Saxon Acres LLC (Danny Walker). Applicant: Thrower Design (A. Ron Thrower). City Staff: Kate Clark, 512-974-1237.

District(s): District 3

58. C14-2020-0023 - Highway 71 and Mountain Shadows - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8709 & 8701 Sky Mountain Drive (Tract 1) and 8732, 8624 & 8722 W. State HWY 71 (Tract 2), (Williamson Creek Watershed-Barton Springs Zone). Applicant's Request: To rezone from rural residence-neighborhood plan (RR-NP) combining district zoning to multifamily residence-limited density-neighborhood plan (MF-1-NP) combining district zoning for Tract 1, and from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning and community commercial-neighborhood plan (GR-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning for Tract 2. This action concerns land located in the Barton Springs Zone. Staff Recommendation and Planning Commission Recommendation: To grant multifamily residence-limited density-neighborhood plan (MF-1-NP) combining district zoning for Tract 1 and neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning for Tract 2. Owner and Applicant: Roberta Hudson (Tract 1) and THT Holdings LLC, (Tract 2, Senthil Rangaswamy and Prithiviraj Loganathan). Agent: Metcalfe Wolff Stuart & Williams LLP (Michele Rogerson Lynch). City Staff: Kate Clark, 512-974-1237.

District(s): District 8

59. C14-85-288.56(RCA) - Highway 71 and Mountain Shadows - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 8732, 8624 and 8722 W. State Highway 71 (Williamson Creek Watershed-Barton Springs Zone). This action concerns land

located in the Barton Springs Zone. Staff Recommendation and Planning Commission Recommendation: To grant an amendment to the restrictive covenant. Owner and Applicant: THT Holdings LLC (Senthil Rangaswamy and Prithiviraj Loganathan). Agent: Metcalfe Wolff Stuart & Williams LLP (Michele Rogerson Lynch). City Staff: Kate Clark, 512-974-1237.

District(s): District 8

60. C14-2020-0050 - 3100 Scofield Ridge Parkway -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3100 Scofield Ridge Parkway (Walnut Creek Watershed). Applicant Request: To rezone from neighborhood commercial (LR) district zoning to community commercial-mixed use combining (GR-MU) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use combining (GR-MU) district zoning. Applicant/Owner: Tiger Creek Partners, LP (John Bultman). Agent: Metcalfe, Wolff, Stuart & Williams, LLP (Michele Rogerson Lynch). Case Manager: City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

61. C14-2020-0041 - Stowers and Schiller -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8500 Bluegrass Drive (Bull Creek Watershed). Applicant Request: To rezone from neighborhood commercial (LR) district zoning to single family residence standard lot (SF-2) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant single family residence standard lot (SF-2) district zoning. Applicant/Owner: Ken Schiller. Agent: Steve T. Stowers. City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

62. C14-2020-0057 - One Way Out- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known 5601 Nixon Lane (Walnut Creek Watershed). Applicant Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to neighborhood commercial-mixed use (LR-MU) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use (LR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Owner/Applicant: Gyro Plus LLC (Mohammad Arami). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

63. C14-2020-0035 - 707 West 14th Apartments - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 707 West 14th Street (Shoal Creek Watershed). Applicant's Request: To rezone from general office (GO) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Owner: Jaydev (Jay Reddy). Agent: 503 Walnut, LLC (Chris Riley). Staff: Mark Graham, 512-974-3574.

District(s): District 9

64. NPA-2020-0017.01- 7113 Burnet - Conduct a public hearing and approve an ordinance

amending Ordinance No. 20040401-Z-2 the Crestview/Wooten Combined (Crestview) Neighborhood Plan, an element to the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 7113 Burnet Road. (Shoal Creek Watershed) from Commercial to Multifamily land use. Staff Recommendation and Planning Commission recommendation: To grant Multifamily land use. Owner/Applicant: Ronan Corporation (Craig Hopper). Agent: Armbrust & Brown, PLLC (Michael Gaudini). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 7

65. C14-72-032(RCT) - 7113 Burnet Rd -- Conduct a public hearing and approve the termination of a restrictive covenant on property locally known as 7113 Burnet Road (Shoal Creek Watershed). Staff Recommendation and Planning Commission Recommendation: To grant termination of the restrictive covenant. Owner: Ronan Corporation (Craig Hopper). Agent Armbrust & Brown PLLC (Michael Gaudini). City Staff: Mark Graham, 512-974-3574.

District(s): District 7

66. C14-2020-0016 - 7113 Burnet Rd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7113 Burnet Road (Shoal Creek Watershed). Applicant's Request: To rezone from commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, and limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning to multifamily residence-highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high-density-neighborhood plan (MF-4-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence-highest density-neighborhood plan (MF-6-NP) combining district zoning. Owner: Ronan Corporation (Craig Hopper). Agent: Armbrust & Brown, PLLC (Michael Gaudini). City Staff: Mark Graham, 512-974-3574.

District(s): District 7

67. 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 July 21, 2020. Owner: GF-ARB C, Ltd. % Live Oak Gottesman. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

68. C14-2020-0043 - 1809 W. Anderson Lane - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1809 West Anderson Lane, Unit 1 (Shoal Creek Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay -neighborhood plan (CS-CO-NP) combining district zoning to commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district

zoning. Staff Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Owner: 1809 Anderson, Inc. (Amirali Mahesania). Agent: J. Thompson Consulting (Jon Thompson). City Staff: Mark Graham, 512-974-3574.

**District(s):** District 1

- 69.** 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 alternate 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):** District 5

## Consent Agenda

### Budget

70. Approve a resolution adopting a maximum proposed property (ad valorem) tax rate that will include an increase of 3.5% for the operations and maintenance of the City, and an increase over that rate for Project Connect that the City Council will consider for Fiscal Year 2020-2021; and setting the date that the Council will hold the hearing and adopt the Fiscal Year 2020-2021 property (ad valorem) tax rate (Suggested date and time: August 12, 2020 at 10:00 a.m., Palmer Events Center, 900 Barton Springs Road, Austin TX and via electronic means as authorized by Governor Greg Abbott for participation in Open Meetings).

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

71. Authorize the City Manager to provide public notice of the date, time, and location of the public hearing on the City of Austin Fiscal Year 2020-2021 Proposed Budget. (Suggested date and time: August 12, 2020 at 10:00 a.m., Palmer Events Center, 900 Barton Springs Road, Austin TX, with public participation also being authorized via electronic means in accordance with Governor Greg Abbott's emergency orders relating to the COVID-19 pandemic and the Texas Open Meetings Act).

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

## Non-Consent

### Public Hearings and Possible Actions

72. Conduct a public hearing on proposed rate and fee changes for Austin Energy as part of the Fiscal Year 2020-2021 Proposed Budget.

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