

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, JUNE 11, 2020**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, June 11, 2020 via. Videoconference.

Mayor Adler called the Council Meeting to order at 10:04 a.m.

**CONSENT AGENDA**

1. Approve the minutes of the Austin City Council work session of June 2, 2020, and regular meeting of June 4, 2020.  
**The motion approving the minutes of the Austin City Council work session of June 2, 2020, and regular meeting of June 4, 2020 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
2. Authorize the negotiation and execution of a cost participation agreement with Pearson Ranch, LLC for the City to reimburse the developer for an amount not to exceed \$2,200,100 for costs associated with the design and construction of oversized wastewater mains and appurtenances related to Service Extension Request No. 4499R that will provide wastewater service to a proposed mixed use development located north of State Highway 45, south of Neenah Avenue, east of West Parmer Lane, and west of Pearson Ranch Road. Recommended by the Water and Wastewater Commission on an 8-0 vote with Commissioners Parton off the dais and Commissioner Fisher absent. District(s) Affected: District 6.  
**The motion authorizing the negotiation and execution of a cost participation agreement with Pearson Ranch, LLC was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on a 10-0 vote. Council Member Alter abstained.**
3. Approve Service Extension Request No. 4622 for wastewater service to a 77.78-acre tract located at 9021 W. US 290 Highway within the Drinking Water Protection Zone, the City's 2-mile Extra-Territorial Jurisdiction and Austin Water's service area. Recommended by the Water and Wastewater Commission on a 9-0 vote with Commissioner Fisher absent. District(s) Affected: District 8.

**The motion approving Service Extension Request No. 4622 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

4. Authorize negotiation and execution of an interlocal agreement with Travis County granting the County a license to design, construct, operate, and maintain a hike and bike trail across a parcel of Austin-Bergstrom International Airport property for a period of 20 years as part of the Onion Creek Greenway.

**The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

5. Authorize award and execution of a construction contract with Santa Clara Construction, Ltd. (MBE), for the Onion Creek District Park Reclaimed Water Main Phase 2 project, in the amount of \$339,780 plus a \$33,978 contingency, for a total contract amount not to exceed \$373,758. [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 78.17% MBE and 2.35% WBE participation.] District(s) Affected: District 2.

**The motion authorizing the award and execution of a construction contract with Santa Clara Construction, Ltd. was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

6. 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 Elizabet Ney Museum Restoration and Improvements project for restoration of and improvements to the existing facilities and site. (Note: MBE/WBE goals will be established prior to issuance of this solicitation.)

**Resolution No. 20200611-006 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

7. Authorize execution of change order #4 to the construction contract with Restek, Inc., for the Austin Convention Center Parking Garage Repairs at 201 E. 2nd Street and 601 E. 5th Street project, in the amount of \$195,000, for a total contract amount not to exceed \$2,117,500. [Note: This change order was awarded in compliance with City Code 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 2.34% MBE and 0.02% WBE.] District(s) Affected: District 9.

**The motion authorizing the execution of change order #4 to the construction contract with Restek, Inc. was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

8. Authorize negotiation and execution of a competitive sealed proposal agreement with Gadberry Construction Company, Inc. (MBE), for construction services for the Brush Square - O. Henry Museum Restoration project, in the amount of \$874,808.86 plus a \$131,221.14 contingency for a total amount not to exceed \$1,006,030. [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 76.96% MBE and 1.25% WBE participation.] District(s) Affected: District 9.

**The motion authorizing the negotiation and execution of a competitive sealed proposal agreement with Gadberry Construction Company, Inc. was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

9. Authorize negotiation and execution of a professional services agreement with Studio 8 Architects, Inc., (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP294, to provide professional services for the Dougherty Arts Center Facility Replacement project in an amount not to exceed \$2,000,000. [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 19.00% MBE and 16.00% WBE participation.] District(s) Affected: District 5.

**The motion authorizing the negotiation and execution of a professional services agreement with Studio 8 Architects, Inc., was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

10. Authorize award and execution of a construction contract with Alpha Paving Industries, LLC, (MBE), for the 2021 Austin Water Asphalt and Concrete Restoration Indefinite Delivery/Indefinite Quantity contract, in the amount of \$8,000,000 for an initial two-year term, with three, one-year extension options of \$4,000,000 each for a total contract amount not to exceed \$20,000,000. Recommended by the Water and Wastewater Commission on an 8-0 vote with Commissioners Parton off the dais and Commissioner Fisher absent. [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: 9.66% MBE and 1.27% WBE participation.].

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

11. Authorize negotiation and execution of an amendment to the design build agreement with Southwest Corporation, for continued design and construction services for the Austin Fire Department Locker Room Phase 6 project in the amount of \$13,400,000, for a total contract amount not to exceed \$26,100,000. [This amendment will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 31.26% MBE and 2.64% WBE.] District(s) Affected: District 5, District 7, District 9, District 10.

**The motion authorizing the negotiation and execution of an amendment to the design build agreement with Southwest Corporation was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

12. Authorize the negotiation and execution of an interlocal agreement with Caldwell County to complete radio system improvements for the County that are funded by Capital Area Emergency Communications District.

**The motion authorizing the negotiation and execution of an interlocal agreement with Caldwell County was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

13. Authorize the negotiation and execution of an interlocal agreement with Burnet County to complete radio system improvements for the County that are funded by Capital Area Emergency Communications District.

**The motion authorizing the negotiation and execution of an interlocal agreement with Burnet County was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

14. Authorize the negotiation and execution of an amendment to the interlocal agreement with Travis County and the Austin Travis County Mental Health Mental Retardation Center D/B/A Integral Care for mental health and substance use treatment services for indigent citizens and other eligible clients of the Downtown Austin Community Court, by increasing funding in an amount not to exceed \$280,000 for the current agreement term ending on September 30, 2020, and increasing funding for the three remaining 12-month renewal options not to exceed \$280,000 per renewal option, for a total increase to the agreement in an amount not to exceed \$1,120,000.

**The motion authorizing the negotiation and execution of an amendment to the interlocal agreement with Travis County and the Austin Travis County Mental Health Mental Retardation Center, doing business as Integral Care, was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

15. Authorize the negotiation and execution of an agreement with Beili Liu, in an amount not to exceed \$155,000 for artwork for the Terminal/Apron Expansion and Improvement Project at Austin-Bergstrom International Airport. District(s) Affected: District 2.

**The motion authorizing the negotiation and execution of an agreement with Beili Liu was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

16. Authorize the negotiation and execution of an agreement with Kat Kohl, in an amount not to exceed \$155,000 for artwork for the Terminal/Apron Expansion and Improvement Project at Austin-Bergstrom International Airport. District(s) Affected: District 2.

**The motion authorizing the negotiation and execution of an agreement with Kat Kohl was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

17. Authorize the negotiation and execution of an agreement with TRUSONIC, LLC in an amount not to exceed \$260,000 for artwork for the Terminal/Apron Expansion and Improvement Project at Austin-Bergstrom International Airport. District(s) Affected: District 2.

**The motion authorizing the negotiation and execution of an agreement with TRUSONIC, LLC was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**



18. Approve an ordinance setting the assessment rate and approving the proposed 2021 assessment roll for the Austin Downtown Public Improvement District. District(s) Affected: District 9.  
**Ordinance No. 20200611-018 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
19. Approve an ordinance setting the assessment rate and approving the proposed 2021 assessment roll for the South Congress Preservation and Improvement District. District(s) Affected: District 9.  
**Ordinance No. 20200611-019 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
20. Approve an ordinance setting the assessment rate and approving a proposed 2021 assessment roll for the East Sixth Street Public Improvement District. District(s) Affected: District 9.  
**Ordinance No. 20200611-020 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
21. Approve negotiation and execution of an amendment to the contract with Kaplan Kirsch & Rockwell LLP for legal services related to general airport law advice in the amount of \$25,000, for a total contract amount not to exceed \$125,000.  
**This item was withdrawn on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
22. Authorize an amendment to a legal services contract with Richards Rodriguez & Skeith, LLP for services related to LaMarcus Wells v. City of Austin, Cause No. 1: 19-cv-1140-RP in the United States District Court, Western District, Austin, Texas, in the amount of \$350,000 for a total contract amount not to exceed \$410,000.  
**This item was withdrawn on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
23. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$30,000,000, to finance, in part, the new construction of an affordable rental development located at or near 4600 Nuckols Crossing Road, Austin, Texas 78744. District(s) Affected: District 2.  
**Resolution 20200611-023 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
24. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$20,000,000 to finance, in part, the new construction of an affordable rental development located at or near 14011 Owen Tech Blvd., Austin, Texas 78728.  
**Resolution 20200611-024 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

25. Authorize the negotiation and execution of an amendment to extend the Agreement Concerning Implementation of the East 11th and 12th Streets Urban Renewal Plan between the City and the Urban Renewal Agency (URA). District(s) Affected: District 1.  
**The motion authorizing the negotiation and execution of an amendment to extend the Agreement Concerning Implementation of the East 11th and 12th Streets Urban Renewal Plan was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
26. Authorize a fee-in-lieu of on-site affordable housing for a proposed development located at or near 2900 Martin Luther King Boulevard that is subject to the MLK Transit Oriented Development Station Area Plan and Regulating Plan. District(s) Affected: District 1.  
**The motion authorizing a fee-in-lieu of on-site affordable housing for a proposed development was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
27. Authorize negotiation and execution of an encroachment agreement with FC Downtown Studios Housing, LLC, a Texas limited liability company, for the permanent subsurface encroachment of a public right-of-way consisting of approximately 649 square feet within the alley of E. 10th Street and approximately 216 square feet within E. 11th Street for improvement of a soil retaining system. District(s) Affected: District 1.  
**The motion authorizing the negotiation and execution of an encroachment agreement with FC Downtown Studios Housing, LLC was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
28. Approve negotiation and execution of all documents and instruments necessary or desirable to acquire in fee simple approximately 61.687 acres of land and improvements located at 1495 W. State Highway 21, Cedar Creek, Bastrop County, Texas 78612, also known as the Austin Equestrian Center for an amount not to exceed \$1,462,000 including closing costs. This project is located outside of the city's extra-territorial jurisdiction.  
**This item was withdrawn on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
29. Approve negotiation and execution of an amendment to the Master Service Agreement entered into on December 29, 2017 to include an additional 560 square feet of cage, rack, and support space for a data center supporting Austin Energy for a 66 1/2-month term and to extend CTM's Master Service Agreement for an additional 26-month term in order to align the terms, for a total amount not to exceed \$4,342,291.20. Recommended by the EUC on a vote of 7-0, with Commissioner Wray absent, Stone and Weldon off the dais and one vacancy.  
**The motion approving the negotiation and execution of an amendment to the Master Service Agreement entered into on December 29, 2017 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
30. Authorize the negotiation and execution of the Funding, Operations and Administrative Agreement with the Austin-Rosewood Community Development Corporation and the City of Austin. District(s) Affected: District 1.

**This item was postponed on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote. Direction was given to staff to bring the item back to Council following the completion of the audit by the City Auditor.**

31. Approve a resolution directing the City Manager to include a partial exemption from ad valorem taxes for certain historically-designated properties in budget calculations for the coming year; to provide this resolution to the Austin Independent School District; and to prepare an ordinance approving these partial exemptions to be considered by Council concurrently with the annual tax levy.

**Resolution No. 20200611-031 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

32. 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 \$669,000 in grant funds from the Texas Department of Health and Human Services and the Centers for Disease Control and Prevention for the Integrated HIV Programs for Health Departments to Support Ending the HIV Epidemic in the United States.

**Ordinance No. 20200611-032 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

33. Authorize negotiation and execution of an interlocal agreement with Travis County for the sidewalk improvements in front of 8503 Springdale Road in an amount not to exceed \$50,000.

**The motion authorizing the negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

34. Authorize negotiation and execution of a cooperative purchase agreement with OMNIA Partners, to allow for cooperative procurement of goods and services. (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).

**The motion authorizing the negotiation and execution of a cooperative purchase agreement with OMNIA Partners was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

35. Authorize award of a multi-term contract with Texas Disposal Systems, Inc., to provide trash, recycling, and organics collection services for the Central Business District, for up to five years for a total contract amount not to exceed \$8,300,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**The motion authorizing the award of a multi-term contract with Texas Disposal Systems, Inc. was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

36. Authorize negotiation and execution of a multi-term contract with ThyssenKrupp Airport Systems Inc., to provide maintenance, inspections, emergency repairs, parts and training for passenger boarding bridges, for up to five years for a total contract amount not to exceed \$3,001,000. (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).  
**The motion authorizing the negotiation and execution of a multi-term contract with ThyssenKrupp Airport Systems Inc. was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
37. 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).  
**This item was postponed to July 30, 2020 on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
38. Authorize award of a multi-term contract with BMC Consolidated, LLC D/B/A OB Traffic, to provide traffic signal heads, for up to five years for a total contract amount not to exceed \$750,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities therefore, no subcontracting goals were established).  
**The motion authorizing the award of a multi-term contract with BMC Consolidated, LLC, doing business as OB Traffic, was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
39. Authorize negotiation and execution of a contract with The Trail Foundation, to provide a safety and mobility study, in an amount not to exceed \$165,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B 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).  
**The motion authorizing the negotiation and execution of a contract with The Trail Foundation was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
40. Authorize negotiation and execution of a multi-term contract with FarrWest Environmental Supply, Inc., to provide hazardous materials detection and monitoring equipment and services, for up to five years for a total contract amount not to exceed \$875,000. (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).



**The motion authorizing the negotiation and execution of a multi-term contract with FarrWest Environmental Supply, Inc. was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

41. Authorize negotiation and execution of a multi-term cooperative contract with Cornish Medical Electronics Corporation of Texas D/B/A Cornish Medical, to provide automated external defibrillators, bleed kits, accessories, and related services, for up to three years for a total contract amount not to exceed \$4,085,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**The motion authorizing the negotiation and execution of a multi-term cooperative contract with Cornish Medical Electronics Corporation of Texas, doing business as Cornish Medical, was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

42. Authorize negotiation and execution of a contract with Health Management Associates, Inc., to complete a quality of life study, for a term of 15 months in an amount not to exceed \$200,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**The motion authorizing the negotiation and execution of a contract with Health Management Associates, Inc. was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

43. Authorize negotiation and execution of a multi-term cooperative contract through Staples Contract & Commercial LLC, with Summus Industries Inc. (MBE), to provide office supplies and related services, for up to five years for a total contract amount not to exceed \$13,432,500. Recommended by the Water and Wastewater Commission on an 8-0 vote with Commissioners Parton off the dais and Commissioner Fisher absent. June 8, 2020 – Recommended by the Electric Utility Commission on a 6-1 vote, with Commissioner Boyle against, Wray absent, Stone and Weldon off the dais, and one vacancy. Recommended by the Water and Wastewater Commission on an 8-0 vote with Commissioners Parton off the dais and Commissioner Fisher absent. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**The motion authorizing the negotiation and execution of a multi-term cooperative contract through Staples Contract & Commercial LLC, with Summus Industries Inc. was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

44. Authorize negotiation and execution of a contract with Jane's Due Process, to provide logistical support services for abortion access, for a term of one year for a total contract amount not to exceed \$150,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).  
**The motion authorizing the negotiation and execution of a contract with Jane's Due Process was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
45. Approve an ordinance amending City Code Chapter 12-4 (Speed Limits) to add definitions of neighborhood street, downtown street, and urban core arterial street, and to establish a maximum speed limit of 25 miles per hour on neighborhood streets, a maximum speed limit of 25 miles per hour on downtown streets, and a maximum speed limit of 30, 35, or 40 miles per hour on urban core arterial streets.  
**Ordinance No. 20200611-045 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
46. Authorize award and execution of a construction contract with Muniz Concrete & Contracting, Inc. (MBE), for the Local Mobility ADA Sidewalk and Ramp Improvements Group 23A Citywide - IDIQ Rebid contract in the amount of \$6,000,000 for an initial one-year term, with two, one-year extension options of \$6,000,000, for a total contract amount not to exceed \$18,000,000. [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 8.37% MBE and 1.93% WBE participation.]  
**The motion authorizing the award and execution of a construction contract with Muniz Concrete & Contracting, Inc. was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
47. Authorize award and execution of a construction contract with Austin Materials, LLC, for the Miscellaneous Streets Maintenance Overlay Indefinite Delivery/Indefinite Quantity contract, in the amount of \$6,000,000 for an initial one-year term, with three, one-year extension options of \$6,000,000 each, for a total contract amount not to exceed \$24,000,000. [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 9.18% MBE and 0.65% WBE participation.]  
**The motion authorizing the award and execution of a construction contract with Austin Materials, LLC was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
48. Approve a resolution approving an Official Notice of Intention to Issue \$135,800,000 City of Austin, Texas, Certificates of Obligation, Series 2020 (Notice of Intention), directing the publication and posting of the Notice of Intention, and providing information regarding Certificates of Obligation and the City's outstanding debt obligations.

**Resolution No. 20200611-048 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

49. 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.  
**This item was withdrawn on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

**Item 50 was pulled for discussion.**

51. Approval a resolution relating to the creation of temporary protected bike lanes on Congress Avenue north of Riverside Drive Council Sponsors: Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Paige Ellis, Council Member Natasha Harper-Madison, Council Member Sabino 'Pio' Renteria.  
**Resolution No. 20200611-051 was approved as amended below on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

**Mayor Adler offered the following amendment that was accepted as friendly. The amendment was:**

**Amend the Be It Resolved clause to read:**

**"The City Council directs the City Manager to work with Downtown businesses and stakeholders to swiftly establish temporary northbound and southbound protected bike lanes on Congress Avenue north of Riverside Drive to the maximum extent possible considering the safety and access needs of all users, the opportunity to include temporary art in public places, as well as the project costs and available funding. Such stakeholders should include Downtown businesses, the Downtown Austin Alliance, Bike Austin, and the Downtown Austin Neighborhood Association. The City Manager is directed to complete this work no later than June 30, 2020."**

52. Approve an ordinance amending City Code Chapter 2-5 (Council Action, Appeals, Terms, and Committees) and City Code Chapter 2-10 (Municipal Court), and creating a Public Safety Committee. Council Sponsors: Council Member Jimmy Flannigan, Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Council Member Natasha Harper-Madison.  
**This item was withdrawn on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
53. Set a public hearing to consider an ordinance establishing a Street Impact Fee and program. (Suggested date: July 30, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas).  
**The public hearing was set for July 30, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

54. Set a public hearing to receive public comment on the City's draft Fiscal Year 2020-2021 Federal Action Plan that relates to federal funding opportunities including funding for housing, homelessness assistance, community development, economic development and public services (Suggested date: July 30, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set for July 30, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
55. Set a public hearing to consider the Austin Downtown Public Improvement District 2021 proposed assessments. (Suggested date: July 30, 2020 at Austin City Hall, 301 W. Second Street, Austin TX). District(s) Affected: District 9.  
**The public hearing was set for July 30, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
56. Set a public hearing to consider the South Congress Preservation and Improvement District 2021 proposed assessments. (Suggested date: July 30, 2020 at Austin City Hall, 301 W. Second Street, Austin TX). District(s) Affected: District 9.  
**The public hearing was set for July 30, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
57. Set a public hearing to consider the East Sixth Street Public Improvement District 2021 proposed assessments. (Suggested date: July 30, 2020 at Austin City Hall, 301 W. Second Street, Austin TX). District(s) Affected: District 9.  
**The public hearing was set for July 30, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
87. Approve an ordinance amending the Fiscal Year 2019-2020 Austin Resource Recovery Department Operating and Capital Budgets (Ordinance No. 20190910-001) related to the expansion of community litter abatement efforts.  
**Ordinance No. 20200611-087 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
88. Approve negotiation and execution of an amendment to the contract with Kaplan Kirsch & Rockwell LLP for legal services related to general airport law advice in the amount of \$40,000, for a total contract amount not to exceed \$140,000.  
**The motion approving the negotiation and execution of an amendment to the contract with Kaplan Kirsch & Rockwell LLP was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**
89. Authorize negotiation and execution of an agreement with The Cook's Nook to provide emergency food access for caregivers of students in Del Valle schools in an amount not to exceed \$700,000 for the term June 15, 2020 through August 31, 2020.



**The motion authorizing the negotiation and execution of an agreement with The Cook's Nook was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

90. Authorize negotiation and execution of an interlocal agreement with the University of Texas at Austin-Dell Medical School, to design and conduct a study of seroprevalence of SARS-CoV-2 in Austin in relation to the COVID-19 pandemic, for a term from August 1, 2020 through September 30, 2022, in an amount not to exceed \$1,449,999.03.

**The motion authorizing the negotiation and execution of an interlocal agreement with the University of Texas at Austin-Dell Medical School was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

91. Authorize ratification of an interlocal agreement with the Travis County Healthcare District d/b/a Central Health to share data, manage and monitor individuals, trace contacts, model data and make recommendations for the purpose of understanding, responding to, and mitigating the spread of COVID-19 at no cost to the City.

**The motion authorizing the ratification of an interlocal agreement with the Travis County Healthcare District, doing business as Central Health, was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

92. Authorize negotiation and execution of an interlocal agreement with different state and local governmental entities to establish the Texas Interlocal Purchasing Cooperative to allow for cooperative procurement of goods and services. (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).

**The motion authorizing the negotiation and execution of an interlocal agreement with different state and local governmental entities to establish the Texas Interlocal Purchasing Cooperative was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

**Items 93 through 96 were pulled for discussion.**

97. Approve a resolution directing the City Manager to negotiate and execute an Annexation and Development Agreement, concerning the annexation and development of approximately 25 acres in Travis County, generally located at 11201, 11205, and 11213 N FM 620 and contiguous to District 6. Council Sponsors: Council Member Jimmy Flannigan, Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Paige Ellis, Council Member Sabino 'Pio' Renteria.

**Resolution No. 20200611-097 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

98. Set a public hearing concerning 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. (Suggested date: July 30, 2020, Austin City Hall, 301 W. Second Street, Austin, TX).

**The public hearing was set for July 30, 2020, Austin City Hall, 301 W. Second Street, Austin, TX on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

102. Authorize ratification of a contract with United Way of Greater Austin to administer the Childcare Fund grant program to disburse emergency funds to childcare facilities in need of relief as a result of COVID-19 pandemic in amount not to exceed \$120,000 with an option to amend and extend the term and administrative fee should additional grant funds become available to administer.

**The motion authorizing ratification of a contract with United Way of Greater Austin was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

103. Authorize ratification of a contract with Better Business Bureau to administer the Commercial Loans for Economic Assistance and Recovery (CLEAR) and Austin Nonprofit and Civic Health Organization Relief (ANCHOR) Fund grant program to disburse emergency funds to small businesses and non-profits in need of relief as a result of COVID-19 pandemic in amount not to exceed \$1,144,000 with an option to amend and extend the term and administrative fee should additional grant funds become available to administer.

**The motion authorizing ratification of a contract with Better Business Bureau was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

104. Authorize negotiation and execution of an agreement with the Youth and Family Alliance to provide direct financial assistance and direct relief services to Austin/Travis County residents impacted by COVID-19 in an amount not to exceed \$376,046 for the term June 15, 2020 through September 30, 2020.

**The motion authorizing the negotiation and execution of an agreement with the Youth and Family Alliance was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.**

#### **EMINENT DOMAIN**

59. Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of a permanent drainage easement of approximately 0.014 of an acre (approximately 600 square feet) of land situated in the Isaac Decker League Survey No. 20, in the City of Austin, Travis County, Texas, being out of a 7,226 square feet tract and out of Lot 31, Del Crest Addition, of record in Volume 4, Page 68, plat records of Travis County Texas, said 7,226 square feet tract being described in a correction instrument as to a recorded original instrument to Harrison David Sonntag and Danielle Margaret Colette Jackson, recorded in Document Number 2014108289, official public records of Travis County, Texas, in the amount of \$12,900, for the public use of a storm drain infrastructure project to reduce flood risk. The owners of the needed property are Harrison David Sonntag and Danielle Margaret Colette Jackson. The property is located entirely

within District 5, at 2215 Iva Lane, Austin, Texas 78704. The general route of the project is in south central Austin in the South Lamar neighborhood and its area is bounded by Bluebonnet Lane, Del Curto Road, Delcrest Drive, Kinney Road and Thornton Road with offshoots along Southland Drive and Iva Lane. District(s) Affected: District 5.

**Resolution No. 20200611-059 was approved on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.**

### **DISCUSSION ITEMS**

58. Approve a resolution appointing and/or reappointing individuals to the Municipal Civil Service Commission, and designating a chair for the Municipal Civil Service Commission. Council Sponsors: Audit and Finance Committee.

**Resolution No. 20200611-058 was approved on Council Member Alter's motion, Council Member Pool's second on an 11-0 vote.**

### **PUBLIC HEARINGS**

61. 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).

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

**Council Member Tovo offered the following staff direction that was accepted without objection. The direction was:**

**"Staff is directed to create a process for neighborhoods to suggest additional streets that they think should also be considered for lower speed limits."**

### **AUSTIN HOUSING AND FINANCE CORPORATION MEETING**

**Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 11:31 a.m. See separate minutes.**

60. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene.

**Mayor Adler reconvened the Council Meeting at 11:32 a.m.**

**Mayor Adler recessed the Council Meeting at 11:38 a.m.**

**Mayor Adler reconvened the Council Meeting at 11:40 a.m.**

### **EXECUTIVE SESSION**

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

**This item was withdrawn without objection.**

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

**This item was withdrawn without objection.**

99. Discuss legal issues related to Zimmerman v. City of Austin et al, Cause No. D-1-GN-19-005930, in the 98th District Court; and Seago v. City of Austin et al, Cause No. D-1-GN-20-002897, in the 201st District Court, Travis County Texas. (Private consultation with legal counsel-Section 551.071 of the Government Code).

**This item was withdrawn without objection.**

#### **ZONING ORDINANCES / RESTRICTIVE COVENANTS**

64. C14-2019-0169 - 4001 Parmer - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4001 West Parmer Lane (Walnut Creek Watershed). Applicant Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to general office (GO) district zoning. First reading approved general office (GO) district zoning on March 12, 2020. Vote: 9-0. Owner: 4001 Creative Offices, LLC (Ellis Winstanley, Manager). Agent: Metcalfe Wolf Stuart & Williams (Michele Rogerson Lynch). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.

**A motion to postpone this item indefinitely at the request of the applicant was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

#### **ZONING AND NEIGHBORHOOD PLAN AMENDMENTS**

65. 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) Affected: District 9.

**A motion to postpone this item to July 30, 2020 at the request of the applicant was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

66. 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) Affected: District 3.

**A motion to postpone this item to July 30, 2020 at the request of staff was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

67. 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) Affected: District 3.

**A motion to postpone this item to July 30, 2020 at the request of staff was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

68. NPA-2020-0031.01 - 8803 N Mopac SB -Conduct a public hearing and approve an ordinance amending Ordinance No. 20180823-082, the North Shoal Creek 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 8803 N. MOPAC Expressway (Shoal Creek Watershed) from Industry to Commerce use land use. Staff Recommendation and Planning Commission Recommendation: To grant Commerce use land use. Applicant/Owner: SemMaterials Energy Partners LLC % BKEP Materials. Agent: Drenner Group (Amanda Swor). Staff: Maureen Meredith (512) 974-2695. District(s) Affected: District 10.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200611-068 to change the future land use designation on the future land use map (FLUM) to Commerce use land use was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

69. C14-2020-0013 - 8803 N Mopac -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8803 North Mopac Expressway (Shoal Creek Watershed). Applicant Request: To rezone from limited industrial services (LI) district zoning to general commercial services (CS) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services (CS) district zoning. Applicant/Owner: Semmaterials Energy Partners, LLC % BKEP Materials. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 10.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200611-069 for general commercial services (CS) district zoning, with the following additional condition, was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

**The additional condition agreed to by the neighborhood and the applicant is to prohibit adult oriented businesses.**

70. C14-2020-0037 - 10400 Research Blvd. VMU -- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 10400 Research Boulevard (Walnut Creek and Bull Creek Watersheds). Applicant Request: To rezone from community commercial (GR) district zoning and limited office (LO) district zoning to community commercial-mixed use-vertical mixed use building (GR-MU-V) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building (GR-MU-V) combining district zoning. Applicant/Owner: Wells Fargo Bank NA (Clark Tabbert, Vice President). Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 10.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200611-070 for community commercial-mixed use-vertical mixed use building (GR-MU-V) combining district zoning was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

71. 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: To deny the rezoning. Zoning and Platting Commission Recommendation: To be reviewed on June 2, 2020. Applicant/Owner: Ramin Zavareh. City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

**A motion to postpone this item to July 30, 2020 at the request of the applicant was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

72. C14-2020-0046 - Jollyville Apartments -Conduct a public hearing and approve 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. Staff Recommendation: To grant multifamily residence-medium density (MF-3) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on June 2, 2020. Applicant/Owner: Spatz Development (David Spatz). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 10.

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

73. C14-2020-0010 - FM 969 Retail- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6401 East FM 969 Road (Walnut Creek Watershed). Applicant Request: To rezone from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Staff Recommendation: to grant commercial liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed May 26, 2020. Owner/Applicant: 6401 E FM 969 LLC (Najib Webhe). Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200611-073 for commercial liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

74. C14-2020-0032 (C14H-77-032) - Freedmen's - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2402 San Gabriel Street (Shoal Creek Watershed). Applicant Request: To rezone from general commercial services-mixed use-historic landmark-neighborhood plan (CS-MU-H-NP) combining district zoning to commercial-liquor sales-mixed use-historic landmark-neighborhood plan (CS-1-MU-H-NP) combining district zoning. Staff Recommendation and Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales-mixed use-historic landmark-neighborhood plan (CS-1-MU-H-NP) combining district zoning. Owner Hilltop Venture SH (TX) LP (Edward Johnson). Agent: Johnson Trube and Associates (Edward Johnson). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 9.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200611-074 for commercial-liquor sales-mixed use-historic landmark-neighborhood plan (CS-1-MU-H-NP) combining district zoning was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

75. C14-2020-0045 - Dessau Rezone- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9701 Dessau Road (Little Walnut Creek Watershed). Applicant Request: To rezone from community commercial (GR) 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/Applicant: SL5 ATX Industrial (John Kiltz) LP. Agent: Land Use Solutions (Michele Haussmann). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200611-075 for limited industrial services (LI) district zoning was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

76. C14H-2020-0033 - Teer-Peterson House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2408 Harris Boulevard

Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation and Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Willy Fischler; Owner: Tina Contros. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454. District(s) Affected: District 9.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200611-076 for family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

77. NPA-2019-0003.01 - David Chapel Missionary Baptist Church - Conduct a public hearing and approve an ordinance amending Ordinance No. 19990715-113 the Chestnut Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2201, 2203, 2207, 2211, 2301 E. Martin Luther King, Jr. Blvd; 1805, 1807 Ferdinand Street and 1803, 1807 Chestnut Ave. (Boggy Creek Watershed) from Civic and Single Family to Mixed Use land use. Staff recommendation: Pending. Planning Commission recommendation: To be review on June 23, 2020. Owner/Applicant: David Chapel Missionary Baptist Church. Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 1.  
**A motion to postpone this item to July 30, 2020 at the request of staff was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**
78. 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, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 4316 & 4400 Nuckols Crossing Road (Williamson Creek Watershed) from Single Family to Multifamily land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on July 14, 2020. Owners: Angelos Angelou, John Sasaridis, and Weindel Mark Sebastian Miles. Applicant: McDowell Housing Partners (Ariana Brendle). Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 2.  
**A motion to postpone this item to July 30, 2020 at the request of staff was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**
79. 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 4316 and 4400 Nuckols Crossing Road (Williamson Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning, as amended. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on July 14, 2020. Owners: Angelos Angelou and John



Sasaridis; Mark Sebastian Miles Weindel. Applicant: McDowell Housing Partners (Ariana Brendle). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719.

**A motion to postpone this item to July 30, 2020 at the request of staff was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

80. NPA-2017-0021.01 -4530 E. Ben White Blvd - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 4530 E. Ben White Blvd. (Country Club Creek Watershed) from Single Family and Commercial to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To deny Mixed Use land use. Owner/Applicant: 4539 East Ben White Associates LLC (Trevor Belton, Authorized Signatory). Agent: Coats Rose, P.C. (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

**A motion to postpone this item to July 30, 2020 at the request of applicant was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

81. C14-2019-0167 - 4530 E. Ben White Blvd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4530 E. Ben White Blvd (Country Club West Watershed). Applicant Request: To rezone from single family residence standard lot - neighborhood plan (SF-2-NP) combining district zoning and general commercial services - conditional overlay - neighborhood plan (CS-CO-NP) combining district zoning to general commercial services - mixed use - conditional overlay - neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To deny general commercial services - mixed use - conditional overlay - neighborhood plan (CS-MU-CO-NP) combining district zoning. Owner: 4539 East Ben White Associates LLC (Trevor Belton). Applicant: Coats Rose (John Joseph). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 3.

**A motion to postpone this item to July 30, 2020 at the request of applicant was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

82. NPA-2019-0016.01 - Shady Lane Mixed Use -Conduct a public hearing and approve an ordinance amending Ordinance No. 20030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 914 Shady Lane (Boggy Creek Watershed) from Single Family and Water land use to Neighborhood Mixed Use and Higher Density Single Family land use. Staff Recommendation: To grant the applicant's request for Neighborhood Mixed Use and Higher Density Single Family land use. Planning Commission Recommendation: To be reviewed June 23, 2020. Owner/Applicant: Kimberly Beal and Stephanie Scherzer. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.

**A motion to postpone this item to July 30, 2020 at the request of staff was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

83. C14-2019-0098 - Shady Lane Mixed Use - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 914 Shady Lane (Boggy Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning (Tract 1) and general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning (Tract 2). Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning (Tract 1) and neighborhood commercial -mixed use-neighborhood plan (LR-MU-NP) combining district zoning (Tract 2). Planning Commission Recommendation: To be reviewed June 23, 2020. Owner/Applicant: Kimberly Beal and Stephanie Scherzer. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning case. District(s) Affected: District 3.

**A motion to postpone this item to July 30, 2020 at the request of staff was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

84. NPA-2019-0015.02 - 3500 Pecan Springs Residential -Conduct a public hearing and approve an ordinance amending Ordinance No.021107-Z-11, the East MLK Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3500 Pecan Springs Rd., (Fort Branch Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation and Planning Commission Recommendation: To Grant Higher Density Single Family land use. Owner/Applicant: Peter Gray. Agent: Ron Thrower; Thrower Design. City Staff: Jesse Gutierrez, (512) 974-1606. District(s) Affected: District 1.

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

85. C14-2019-0164 - 3500 Pecan Springs Residential - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3500 Pecan Springs Road (Fort Branch Creek Watershed) from family residence-neighborhood plan(SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Owner/Applicant: 9025BFD, LLC (Peter Gray). Agent: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to the rezoning case. District(s) Affected: District 1.

**The public hearing was conducted and a motion to keep the public hearing open and the approve the ordinance on first reading only, with the following conditions, was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

The following conditions were agreed to by the neighborhood and the applicant. The conditions were:

- Vehicular access to the property from Pecan Springs Rd. is prohibited; all vehicular access to the property shall be from other adjacent public streets or from another adjacent property.
- Development of the site is restricted to a maximum of 25 units.
- Development of the property shall not exceed impervious cover of more than 45%.
- A 35 ft. setback shall be applied to the property's western border that is shared with 3408 Pecan Springs Rd. Within this set back an 8-10 ft. vegetative buffer shall be installed with at least a minimum of one shade tree planted for every 30 ft.
- A 15 ft. vegetative buffer shall be provided and maintained along the parking lot adjacent to Pecan Springs Rd. Improvements made within the buffer zone shall provide unlimited drainage, including underground utility improvements or other improvements which may otherwise be required by the City of Austin or specifically authorized by this ordinance.
- Any building or structure constructed on the property may not exceed 35 ft. or two stories from ground level within 75 ft. of the western property line and may otherwise not exceed 35 ft. of height from ground level.

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

**A motion to postpone this item to July 30, 2020 at the request of staff was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

100. 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 highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation: To grant multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To be reviewed June 9, 2020. Owner/Applicant: 5201 E MLK LP (Ryan Walker). Agent: Thrower Designs (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**A motion to postpone this item to July 30, 2020 at the request of staff was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

101. C14-2019-0129 - 10801 Wayne Riddell Loop - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 10801 Wayne Riddell Loop (Slaughter Creek Watershed; Onion Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning, with conditions. Owner/Applicant: Riddell Family Limited Partnership (James A. Henry). Agent: Smith Robertson, L.L.P. (David Hartman). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

**A motion to postpone this item to July 30, 2020 at the request of staff was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

**Mayor Adler recessed the Council Meeting at 3:10 p.m.**

**Mayor Adler reconvened the Council Meeting at 3:16 p.m.**

**Mayor Adler recessed the Council Meeting at 3:45 p.m.**

**Mayor Adler reconvened the Council Meeting at 4:03 p.m.**

**Mayor Adler recessed the Council Meeting at 7:20 p.m.**

**Mayor Adler reconvened the Council Meeting at 8:04 p.m.**

#### **DISCUSSION ITEMS CONTINUED**

50. Approve a resolution setting a goal of zero racial disparity in certain metrics under the Safety strategic outcome in Strategic Direction 2023 other racial equity metrics and baseline analyses. Council Sponsors: Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Council Member Natasha Harper-Madison, Council Member Jimmy Flannigan, Mayor Steve Adler, Council Member Sabino "Pio" Renteria, Council Member Ann Kitchen, Council Member Leslie Pool, Council Member Paige Ellis, Council Member Kathie Tovo, Council Member Alison Alter. **Resolution No. 20200611-050 was approved on Mayor Pro Tem Garza's motion, Council Member Casar's second on an 11-0 vote.**

93. Approve an ordinance amending City Code Chapter 2 relating to City Council committees and the Municipal Court; creating a Public Safety Committee; and declaring an emergency. Council Sponsors: Council Member Jimmy Flannigan, Council Member Gregorio Casar, Mayor Pro Tem

Delia Garza, Council Member Natasha Harper-Madison, Council Member Sabino “Pio” Renteria, Council Member Ann Kitchen, Council Member Kathie Tovo, Council Member Paige Ellis, Council Member Alison Alter, Council Member Leslie Pool, Mayor Steve Adler.

**Ordinance No. 20200611-093 was approved on Council Member Flannigan’s motion, Council Member Harper-Madison’s second on an 11-0 vote.**

94. Approve a resolution relating to tenant selection policies and procedures for individuals with prior convictions or evictions. Council Sponsors: Council Member Natasha Harper-Madison, Council Member Kathie Tovo, Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, Mayor Steve Adler, Council Member Sabino “Pio” Renteria, Council Member Ann Kitchen, Council Member Alison Alter, Council Member Paige Ellis, Council Member Jimmy Flannigan, Council Member Leslie Pool.

**Resolution No. 20200611-094 was approved on Council Member Harper-Madison’s motion, Council Member Ellis’ second on an 11-0 vote.**

95. Approve a resolution relating to City of Austin policies on police use of force; on police munitions, equipment, and technology; on policing tactics; and on the upcoming cadet class. Council Sponsors: Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, Council Member Natasha Harper-Madison, Council Member Jimmy Flannigan, Mayor Steve Adler, Council Member Sabino “Pio” Renteria, Council Member Ann Kitchen, Council Member Kathie Tovo, Council Member Alison Alter, Council Member Leslie Pool, Council Member Paige Ellis. **A motion to approve the resolution was made on Council Member Casar’s motion, Council Member Harper-Madison’s second.**

**A motion to amend the resolution was made by Council member Casar and accepted without objection. The amendment was:**

**Add a new number seven to the Be It Resolved clause to read:**

- “7. Acoustic Devices: Use of acoustic devices that can function as weapons, such as long-range acoustic devices and sound cannons, shall only be used for communication purposes at safe decibel and frequency levels, and use as a sonic weapon is prohibited.”**

**Direction was given to staff to provide notice of changes to police policies and to provide public access to those policies.**

**Resolution No. 20200611-095 was approved as amended above on Council Member Casar’s motion, Council Member Harper-Madison’s second on an 11-0 vote.**

96. Approve a resolution relating to Council direction for the FY 2020-21 budget and creating reporting requirements for Austin Police Department General Orders. Council Sponsors: Council Member Natasha Harper-Madison, Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, Council Member Jimmy Flannigan, Mayor Steve Adler, Council Member Sabino “Pio” Renteria, Council Member Paige Ellis, Council Member Alison Alter, Council Member Ann Kitchen, Council Member Kathie Tovo, Council Member Leslie Pool.



**Resolution No. 20200611-096 was approved on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.**

**Mayor Adler adjourned the meeting at 9:42 p.m. without objection.**

**The minutes were approved on this the 29<sup>th</sup> day of July 2020 on Mayor Pro Tem Garza's motion, Council Member Pool's second on a 10-0 vote. Mayor Adler was off the Dias.**