

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, DECEMBER 3, 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, via. Videoconference.

Mayor Adler called the Council Meeting to order at 10:05 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of November 10, 2020, regular meeting of November 12, 2020, and special called of November 17, 2020.
The motion to approve the minutes of the Austin City Council work session of November 10, 2020, regular meeting of November 12, 2020, and special called of November 17, 2020 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.
2. Authorize negotiation and execution of a three-year agreement with the Electric Power Research Institute for research programs related to advanced distribution operations and planning, more efficient transmission and distribution operations, integration of distributed energy resources, customer technologies, and electric vehicles in an amount not to exceed \$1,200,000. Strategic Outcome(s): Government That Works for All.
The motion authorizing the negotiation and execution of a three-year agreement with the Electric Power Research Institute was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.
3. 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. CLMP305: HDR Engineering, Inc., Geosyntec Consultants, Inc., Freese & Nichols, Inc., Jacobs Engineering Group, Inc., Doucet & Associates, Inc.(WBE), and Carollo Engineers, Inc., for engineering services for the 2021 Stream Restoration and Stormwater Treatment Engineering Services Rotation List in an amount not to exceed \$21,000,000. [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): Safety; Health and Environment
The motion authorizing the negotiation and execution of a professional services agreement with HDR Engineering, Inc., Geosyntec Consultants, Inc., Freese & Nichols, Inc., Jacobs Engineering Group, Inc., Doucet & Associates, Inc., and Carollo Engineers, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

4. Authorize award and execution of a construction contract with PGC General Contractors, LLC, for the Dalton Lane Site Utilities and Service Center Improvements project in the amount of \$2,064,000 plus a \$206,400 contingency, for a total contract amount not to exceed \$2,270,400. [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 17.67% MBE and 2.25% WBE participation.] Strategic Outcome(s): Government that Works for All; Mobility
The motion authorizing the award and execution of a construction contract with PGC General Contractors, LLC was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.
5. Authorize award and execution of a construction contract with Balfour Beatty Construction Group Inc., for the Zaragoza Warehouse Fire Sprinkler Upgrade project in the amount of \$700,000.00 plus a \$70,000.00 contingency, for a total contract amount not to exceed \$770,000. [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 35.32% MBE and 0.00% WBE participation.] Strategic Outcome(s): Safety; Government that Works for All
The motion authorizing the award and execution of a construction contract with Balfour Beatty Construction Group Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.
6. Approve an ordinance amending City Code Section 2-1-140 to add the Public Safety Commission as a non-voting member to the Downtown Commission. Strategic Outcome(s): Government that Works for All.
Ordinance No. 20201203-006 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.
7. Approve an ordinance reauthorizing and modifying the pilot program adopted by Ordinance No. 20200604-047 that authorized specific businesses to use private parking lots and public right-of-way for expanded business operations. Strategic Outcome(s): Government that Works for All, Economic Opportunity and Affordability.
Ordinance No. 20201203-007 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.
8. Authorize negotiation and execution of one-year contracts, with four renewal options of one year each, with the Multi-Ethnic Chamber Alliance chambers of commerce and the Austin LGBT

Chamber of Commerce to provide business development, economic development, and recruitment and retention services in an amount not to exceed \$1,150,850.00. Staff recommends the equitable funding model to allocate award amounts to each chamber of commerce, as outlined in the Equitable Chamber Funding Final Report. Strategic Outcome(s): Economic Opportunity and Affordability.

This item was withdrawn on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

9. Authorize negotiation and execution of an exclusive negotiation agreement with Aspen Heights Partners, for terms governing a master developer contract for the redevelopment of 1215 Red River and 606 East 12th, the former HealthSouth tract. MBE/WBE: This solicitation 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 solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established in this solicitation phase, but will be negotiated in the contracting phase. District(s) Affected: District 1. Strategic Outcome(s): Government that Works for All; Economic Opportunity and Affordability.

This item was postponed to December 10, 2020 on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

Direction was provided staff direction that in early January the City Manager have a conversation with Council regarding the memos received about historic funding related to the Hotel Occupancy Tax.

10. Approve a resolution amending the bylaws of the Austin Economic Development Corporation (AEDC) to include nominating entities for the AEDC Board of Directors. Strategic Outcome(s): Economic Opportunity and Affordability.

Resolution No. 20201203-010 was approved as amended below on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

The following amendment was offered by Mayor Adler and accepted without objection. The amendment was to revise the Be It Resolved clause by including the Downtown Austin Alliance as the Place 21 nominating entity for the AEDC Board of Directors.

Item 11 was pulled for discussion.

12. Approve a resolution to establish enhanced program guidelines for the Austin Legacy Business Relief Grant, a \$5,000,000 program to help support Austin-based live music venues impacted by the COVID-19 pandemic. Strategic Outcome(s): Economic Opportunity and Affordability.

Resolution No. 20201203-012 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

13. Approve a resolution to establish enhanced program guidelines for the Austin Live Music Venue Preservation Fund, a \$5,000,000 program to help support Austin-based live music venues

impacted by the COVID-19 pandemic. Strategic Outcome(s): Economic Opportunity and Affordability.

Resolution No. 20201203-013 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

14. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Fire Department Capital Budget (Ordinance 20200812-001) to increase appropriations by \$2,000,000 for the design of the Loop 360 Fire/EMS station. Related to item #15. District(s) Affected: District 10. Strategic Outcome(s): Safety.

Resolution No. 20201203-014 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

15. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of certificates of obligation in the amount of \$2,000,000 to be issued for the design of the Loop 360 Fire/EMS station. Related to item #14. District(s) Affected: District 10. Strategic Outcome(s): Safety.

Resolution No. 20201203-015 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

16. Approve a resolution initiating zoning and rezoning and necessary neighborhood plan amendments for properties owned by the University of Texas System known as the Brackenridge tracts, generally located along Lake Austin Boulevard west of Hearn Street, including Lions Municipal Golf Course; the Pickle Research Campus West, generally located at the southwest corner of the intersection of Braker Lane and North MoPac Expressway; the Gateway tract, generally located at 1624 West 6th Street; and the Sematech tract, generally located at the northwest corner of the intersection of E Oltorf Street and Montopolis Drive. District(s) Affected: District 3, District 7, District 9, District 10. Strategic Outcome(s): Economic Opportunity and Affordability

Resolution No. 20201203-016 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

17. Authorize negotiation and execution of an amendment to the legal services agreement with Lloyd Gosselink Rochelle & Townsend, P.C. for legal services related to City of Allen, Texas et al v. Time Warner Cable, LLP et al Cause No. 6:19-cv-345 in the United States District Court Western District of Texas, Waco Division in the amount of \$75,480 for a total contract amount not to exceed \$135,480. Strategic Outcome(s): Government That Works For All.

The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Lloyd Gosselink Rochelle & Townsend, P.C. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

18. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 3.1719 acres, more or less, situated in the Thomas Anderson Survey No. 90, Abstract No.28, Travis County, Texas, save and except those portions of said tract which were conveyed to the State of Texas in those deeds recorded under Document Nos. 2000147487

and 2019170519 of the Official Public Records of Travis County, Texas, located at 6901 Pasture Road, Austin, Texas from Cindee J. Schieffer and Marilyn Cox, for a total amount not to exceed \$425,000.00, including closing costs. District(s) Affected: District 8. Strategic Outcome(s): Health and Environment.

The motion authorizing the negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 3.1719 acres was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

19. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple Lot 1, Harry Terrio Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 14, Page 64 of the Plat Records of Travis County, Texas, located at 5613 Joe Sayers Avenue, Austin, Texas from William Robin Whiteside and Patricia Ann Whiteside, for a total amount not to exceed \$113,000.00 including closing costs. District(s) Affected: District 7. Strategic Outcome(s): Health and Environment.

The motion authorizing the negotiation and execution of all documents and instruments necessary to acquire in fee simple Lot 1, Harry Terrio Subdivision was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

20. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 5.001 acres, more or less, situated in the William Cannon League, Abstract No. 6, being a portion of Lot 3, J.G. and Henry Fitzhugh Subdivision, a subdivision of record in Volume 1, Page 57 of the Plat Records of Travis County, Texas, located at 7410 Cooper Lane, Austin, Texas from Scott Thomas Branyon and Kathryne Ann Stienke, for a total amount not to exceed \$2,195,000.00 including closing costs. District(s) Affected: District 5. Strategic Outcome(s): Health and Environment

The motion authorizing the negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 5.001 acres was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

21. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple Lots 1, 2, 3, 4 and 5 of Block 'G', College Heights Addition, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 3, Page 4 of the Plat Records of Travis County, Texas, located at 1901, 1903, and 1907 E 11th Street as well as 1904 and 1908 College Row, Austin, Texas from Renaissance Family Properties LP, a Texas Limited Partnership, for a total amount not to exceed \$2,220,000.00 including closing costs. District(s) Affected: District 1. Strategic Outcome(s): Health and Environment

The motion authorizing the negotiation and execution of all documents and instruments necessary to acquire in fee simple Lots 1, 2, 3, 4 and 5 of Block 'G', College Heights Addition was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

22. Authorize negotiation and execution of all documents and instruments necessary or desirable to convey to the State of Texas in fee simple approximately .0600 acre of land out of the James P. Wallace Survey, Abstract No. 57, Travis County, Texas, conveyed to the City of Austin and recorded in Document No. 2008196617, located at 7211 N IH 35 for the Texas Department of Transportation Project locally known as I-35 From Rundberg Lane to US 290 East for the amount of \$34,346. District(s) Affected: District 4. Strategic Outcome(s): Mobility; Government that Works for All.
The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to convey to the State of Texas in fee simple approximately .0600 acre of land was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.
23. Authorize the negotiation and execution of a lease agreement with an option to purchase with 3423 Holdings, LLC, a Texas limited liability company, for approximately 30,000 square feet of office space for the Downtown Austin Community Court, located at 1719 East 2nd Street, for a 120 month lease with one ten-year extension option, in an amount not to exceed \$21,562,500. District(s) Affected: District 3. Strategic Outcome(s): Government that Works for All.
This item was withdrawn on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.
24. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$300,000 in additional grant funds from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the City of Austin Intellectual Property Enforcement. Strategic Outcome(s): Safety
Ordinance No. 20201203-024 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.
25. Authorize negotiation and execution of a contract with Big Analytix LLC, to provide an enterprise electric utility report repository, for a term of five years in an amount not to exceed \$5,000,000. (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.
The motion authorizing the negotiation and execution of a contract with Big Analytix LLC was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.
26. Authorize award of a multi-term contract with Vanguard Utility Service, Inc. D/B/A VUS, Inc., to provide accuracy testing of large commercial and multi-family water meters, for up to five years for a total contract amount not to exceed \$1,740,000. (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.

The motion authorizing the award of a multi-term contract with Vanguard Utility Service, Inc., doing business as VUS, Inc., was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

27. Authorize award of a multi-term contract with Pure Technologies US Inc. D/B/A Wachs Water Services, to provide leak detection services, for up to five years for a total contract amount not to exceed \$700,000. (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.

The motion authorizing the award of a multi-term contract with Pure Technologies US Inc. doing business as Wachs Water Services was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

28. Authorize negotiation and execution of four multi-term cooperative contracts to provide pharmaceutical and clinic supplies, with McKesson Medical-Surgical, Inc.; Henry Schein, Inc.; Cardinal Health; and Medline Industries, Inc.; each for a term of up to 27 months, for total contract amounts not to exceed \$2,000,000, divided among the contractors. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Health and Environment.

The motion authorizing the negotiation and execution of four multi-term cooperative contracts to provide pharmaceutical and clinic supplies, with McKesson Medical-Surgical, Inc.; Henry Schein, Inc.; Cardinal Health; and Medline Industries, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

29. Authorize negotiation and execution of an amendment to an existing contract with Nalco Company LLC D/B/A Nalco Company, for continued specialty chemical water treatment services, for an increase in the amount of \$2,225,250, for a revised total contract amount not to exceed \$11,126,250. (Note: This contract was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this contract, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Safety; Government that Works for All; Health and Environment.

The motion authorizing the negotiation and execution of an amendment to an existing contract with Nalco Company LLC, doing business as Nalco Company, was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

30. Authorize negotiation and execution of a multi-term contract with Creative Consumer Research Inc., to provide market research studies, for up to five years for a total contract amount not to

exceed \$1,500,000. (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 services required for this solicitation, there were insufficient opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All.

The motion authorizing the negotiation and execution of a multi-term contract with Creative Consumer Research Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

31. Authorize negotiation and execution of a contract with Power Monitors, Inc., to provide voltage recorders, in an amount not to exceed \$105,000. (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): Safety; Government That Works for All.

The motion authorizing the negotiation and execution of a contract with Power Monitors, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

32. Authorize negotiation and execution of a multi-term contract with Utilities International, Inc., or one of the other qualified offerors to Request For Proposals (RFP) 1100 BDH3001REBID, to provide a financial planning and regulatory reporting software solution, for up to six years for a total contract amount not to exceed \$3,750,000. (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 goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All.

The motion authorizing the negotiation and execution of a multi-term contract with Utilities International, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

33. Authorize award of four multi-term contracts to provide cleaning and disinfection services in response to COVID-19, with S E Packages Inc. D/B/A Tres Mujeres Construction (WBE); Aleee LLC D/B/A Aleee Commercial Cleaning Solutions; GermSweep LLC; and Majestic Services Inc. (MBE); each for up to five years for total contract amounts not to exceed \$18,130,000, divided among 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. However, one of the recommended contractors identified subcontracting opportunities). Strategic Outcome(s):

The motion authorizing the award of four multi-term contracts, as amended below, with S E Packages Inc., doing business as Tres Mujeres Construction; Aleee LLC, doing business as Aleee Commercial Cleaning Solutions; GermSweep LLC; and Majestic Services Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

The following amendment was offered by Council Member Tovo and accepted without objection. The amendment was to limit the authorization to an initial term of two years and an expenditure amount not to exceed \$7,250,000, with the ability to return to Council to seek additional terms and expenditure amounts if they are needed.

34. Authorize negotiation and execution of five multi-term contracts to provide roofing maintenance, repairs, and supplies, with RYCARS Construction LLC (MBE); Canalco, Inc. (MBE); LD Tebben Company Inc.; Tecta America Austin LLC; and Empire Roofing Companies Inc.; each for up to five years for total contract amounts not to exceed \$24,524,000, divided among 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. However, two of the recommended contractors identified subcontracting opportunities). Strategic Outcome(s): Safety; Health and Environment.

The motion authorizing the negotiation and execution of five multi-term contracts with RYCARS Construction LLC; Canalco, Inc.; LD Tebben Company Inc.; Tecta America Austin LLC; and Empire Roofing Companies Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

35. Authorize negotiation and execution of a multi-term contract with Sedgwick Claims Management Services, Inc., to provide workers' compensation claims administration services, for up to five years for a total contract amount not to exceed \$7,993,000. (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 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): Health and Environment; Government that Works for All.

The motion authorizing the negotiation and execution of a multi-term contract with Sedgwick Claims Management Services, Inc. was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

36. Authorize negotiation and execution of two multi-term cooperative contracts with GovDeals, Inc. and Gaston & Sheehan Auctioneers D/B/A Gaston & Sheehan Auctioneers & Real Estate, to provide auction services, each for up to five years for an estimated revenue amount of \$6,550,000, combined from both contractors. (Note: Revenue 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.

The motion authorizing the negotiation and execution of two multi-term cooperative contracts with GovDeals, Inc. and Gaston & Sheehan Auctioneers, doing business as Gaston & Sheehan Auctioneers & Real Estate was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

37. Authorize negotiation and execution of a contract with the University of Texas Rio Grande Valley, to provide training and coaching for cooperatively owned businesses, for a term of one year in an amount not to exceed \$75,000. (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): Economic Affordability and Opportunity; Government That Works for All. **The motion authorizing the negotiation and execution of a contract with the University of Texas Rio Grande Valley was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.**
38. Authorize negotiation and execution of a contract with Mark H. Walsh, to provide business and financial advisory services in support of the City's emergency purchasing and logistics operations, financial systems and related business process improvements, for a term of one year in an amount not to exceed \$175,000. (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. **The motion authorizing the negotiation and execution of a contract with Mark H. Walsh was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.**
39. Approve an ordinance waiving fees in an amount not to exceed \$1,700,000, for a total amount of fees waived not to exceed \$12,000,000, setting a fee schedule for temporary use of right-of-way fees, and authorizing an amendment to the interlocal cooperation agreement with the Texas facilities commission related to the construction of phase one of the 2016 Texas Capitol Complex Master Plan. District(s) Affected: District 1, District 9. Strategic Outcome(s): Mobility; Government that Works for All; Economic Opportunity and Affordability **Ordinance No. 20201203-039 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.**

Item 40 was pulled for discussion.

41. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws. **The following appointments and waivers were approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote:**

Board/Nominee

Nominated by

Downtown Commission

Nelly Ramirez

Public Safety Commission

Joint Inclusion Committee

Raul Alvarez

Early Childhood Council

Joint Inclusion Committee(Alternate)

Johanna Hosking Pulido

Early Childhood Council

Waivers

Approve a waiver of the filing deadline for the statement of financial information as prescribed in Sections 2-1-25 and 2-7-72 of the City Code and establishing a new deadline of January 4, 2021 for the following members:

Kevin Ramberg

Environmental Commission

42. Approve an ordinance amending Ordinance No. 820401-D, to eliminate the limitations of the use of Community Development Block Grant Funds for healthy food retail. Council Sponsors: Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Council Member Natasha Harper-Madison, Mayor Steve Adler, Council Member Paige Ellis.

Ordinance No. 20201203-042 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

43. Approve an ordinance reauthorizing the health authority to adopt rules to protect individuals from COVID-19, amending the expiration date in Ordinance No. 2020709-003, and creating an offense and penalty. Council Sponsors: Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Kathie Tovo, Council Member Paige Ellis, Council Member Gregorio Casar.

Ordinance No. 20201203-043 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

44. Approve a resolution supporting House Bill 84, authored by Representative Gina Hinojosa, related to repealing the prohibition on inclusionary zoning. Council Sponsors: Council Member Leslie Pool, Council Member Gregorio Casar, Council Member Ann Kitchen, Council Member Kathie Tovo, Council Member Alter.

Resolution No. 20201203-044 was approved as amended below on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

The following amendment was offered by Council Member Flannigan and accepted without objection. The amendment was to add a new second Whereas clause to read:

"Whereas, while the City Council continues to support measures and policy guidance to incentivize affordable housing in new development whenever the opportunity arises, inclusionary zoning may allow additional opportunities to address the growing housing affordability crisis in our City; and"

45. Approve a resolution directing the City Manager to eliminate barriers to parking while participating in an election. Council Sponsors: Council Member Jimmy Flannigan, Council

Member Gregorio Casar, Mayor Pro Tem Delia Garza, Council Member Natasha Harper-Madison.

Resolution No. 20201203-045 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

46. Approve a resolution directing the City Manager to establish an Iconic Venue Fund that provides seed funding to allow the Austin Economic Development Corporation to implement as a project, historical restoration and preservation projects, and/or visitor information centers as provided for under Texas Tax Code Sections 351.001(8) and 351.101. Council Sponsors: Council Member Ann Kitchen, Council Member Leslie Pool, Council Member Kathie Tovo, Council Member Alison Alter.

Resolution No. 20201203-046 was approved, as amended below, on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

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

Amend the ninth Whereas clause to read:

"WHEREAS, it may be possible federal funds, as well as local funds such as SAVES funding, could be utilized to stabilize Austin's tourist economy; and"

Amend the first Be It Further Resolved clause to read:

"Be It Further Resolved, The City Manager is directed to bring forward a budget amendment to transfer a one-time funding amount of \$2.4M, to be established and drawn from HOT funding, exclusive of the funds currently appropriated with existing 15% cultural arts and 15% historic preservation allocations as well as the Live Music Fund, as allows under Texas Code, Section 351.101(a)(1),(a)(5), and (b).

The allocation from HOT funds is to be drawn from what would have been allocated in FY17 through FY18 to the Historic Preservation Fund had it been fully funded at the allowable 15% and potentially other HOT funds available and allowable for use per State law for Visitor Information Centers."

Add a new second Be It Further Resolved clause to read:

"Be It Further Resolved, The City Manager is directed to bring back the budget amendment of \$2.4M with an action to contract with the Austin Economic Development Corporation (AEDC) to manage the funds, no later than January 27, 2021. The components of the program to be included in the AEDC contract are described in the Be It Resolved below."

Add a new third Be It Further Resolved clause to read:

"Be It Further Resolved,

The City Manager is directed to provide an approach for additional \$2.5M payments into the Iconic Venue Fund over the next five years to reach a goal of total funding of \$15M."

47. Approve a resolution approving amendments to the hotel operating agreement between Austin Convention Enterprises, Inc. and Hilton Management LLC. Council Sponsors: Council Member Gregorio Casar, Council Member Kathie Tovo, Council Member Ann Kitchen, Mayor Pro Tem Delia Garza, Council Member Alison Alter.

Resolution No. 20201203-047 was approved on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

48. Approve a resolution directing the City Manager to support a partnership between Downtown Austin Community Court, the Homeless Outreach Street Team, and Integral Care for expanded behavioral health resources for individuals experiencing homelessness, to identify available resources for expanding behavioral health programs, and to return with the appropriate items to authorize funding these programs. Council Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria.

Resolution No. 20201203-048 was approved as amended below on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

The following amendment was offered by Council Member Casar and accepted without objection. The amendment was to add a second paragraph to the last Be It Further Resolved clause to read:

"The City Manager shall ensure that the program is aligned with the City's overall Homeless Strategy and provide a report outlining the program's progress and accomplishments. The City Manager shall also engage with program partners and other homeless healthcare service providers, including CommUnity Care's Healthcare for the Homeless program, Ending Community Homelessness Coalition (ECHO), Texas Harm Reduction Alliance, and EMS Community Health Paramedics, to evaluate the program and provide recommendations for additional partners and program improvements to enhance coordination, delivery, access, and expansion of healthcare services."

The following amendment was offered by Council Member Tovo and accepted without objection. The amendment was to amend the first paragraph of the Be It Resolved clause to read:

"The City Manager is directed to support the proposed collaboration between the DACC, HOST, and Integral Care and to identify any unencumbered funds that could help fund the Specialty Intensive Integrated Management Treatment Team, including funds for housing subsidies."

49. Set a public hearing to consider an ordinance amending Ordinance No. 20200812-002 to implement a new Customer Assistance Program discount for water customers residing in master-metered multifamily residences. (Suggested date: December 10, 2020 Austin City Hall, 301 W. Second Street, Austin, Texas)

The public hearing was set for December 10, 2020 Austin City Hall, 301 W. Second Street, Austin, Texas on consent on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

CITIZEN COMMUNICATIONS: GENERAL

Jesus Mendoza – Electro Hyper Sensitivity

Mat Peck – Inadequate Homelessness Response from City Departments

Teresa White – Homeless camp in Gillis park, a Galindo neighborhood park. – **Not present.**

Michael Oyler – Healthy Streets

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:25 p.m.

EXECUTIVE SESSION

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

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

Withdrawn.

54. Discuss legal issues related to the Fayette Power Project (Private consultation with legal counsel - Section 551.071 of the Government Code).

Withdrawn.

55. Discuss real estate matters related to the purchase, exchange, lease, or value of real property located at 1215 Red River and 606 East 12th, the former Health South tract (Real property - Section 551.072 of the Government Code).

Discussion occurred.

56. Discuss legal issues related to the Austin Tourism Public Improvement District (Private consultation with legal counsel - Section 551.071 of the Government Code).

Discussion occurred.

Executive Session recessed and Mayor Adler reconvened the Council Meeting at 3:04 p.m.

ZONING ORDINANCES / RESTRICTIVE COVENANTS

57. C14-2020-0096 - 3707 S 2nd Street - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 3707 S 2nd Street (West Bouldin Creek Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to general office - mixed use (GO-MU) combining district zoning, as amended. First Reading approved general office - mixed use (GO-MU) combining district zoning on November 12, 2020. Vote 10-0. Owner: 3707 S. 2nd Property, LP (Justin Albright). Applicant: Armbrust & Brown (Amanda Surman). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 3.
Ordinance No. 20201203-057 for general office - mixed use (GO-MU) combining district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

58. C14-2020-0057 - One Way Out - Conduct a public hearing and approve second and third readings of 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 community commercial-mixed use (GR-MU) combining district zoning. First reading approved community commercial-mixed use (GR-MU) combining district zoning on October 1, 2020. Vote 11-0. Owner/Applicant: Gyro Plus LLC (Mohammad Arami). 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. 20201203-058 for community commercial-mixed use (GR-MU) combining district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
59. C814-2018-0121 - 218 S. Lamar - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 218 South Lamar Boulevard (Lady Bird Lake Watershed). Applicant's request: To rezone from general commercial services-vertical mixed use building (CS-V) combining district zoning to planned unit development (PUD) district zoning, with conditions. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First reading approved on September 17, 2020. Vote 7-4, Council Members Alter, Kitchen, Pool, Tovo - nay. Owner/Applicant: Michael Pfluger, William Reid Pfluger & the Pfluger Spousal Irrevocable Trust. Agent: Drenner Group PC (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 5.
A motion to postpone this item to December 10, 2020 at the request of staff was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
60. 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, 2205, 2207, 2209, 2211, 2301 E. Martin Luther King, Jr. Blvd; 1805, 1807 Ferdinand Street and 1803, 1805, 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 November 24, 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 December 10, 2020 at the request of staff was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

61. C14-2020-0105 - David Chapel Missionary Baptist Church - Tract 1 (Main Tract) - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2201, 2203, 2205, 2207, 2209, 2211 E. MLK Jr. Blvd. and 1807 Ferdinand Street (Boggy Creek Watershed). Applicant Request: To rezone from public-neighborhood plan (P-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be heard November 24, 2020. Owner/Applicant: David Chapel Missionary Baptist Church (Joseph C. Parker, Jr.). Agent: Husch Blackwell (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

A motion to postpone this item to December 10, 2020 at the request of staff was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

62. C14-2020-0106 David Chapel Missionary Baptist Church - Tract 3 (Northeast Tract)- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2301 E. Martin Luther King Jr. Boulevard (Boggy Creek Watershed). Applicant Request: To rezone from public-neighborhood plan (P-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed November 24, 2020. Owner/Applicant: David Chapel Missionary Baptist Church (Joseph C. Parker, Jr.). Agent: Husch Blackwell (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

A motion to postpone this item to December 10, 2020 at the request of staff was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

63. C14-2020-0107 David Chapel Missionary Baptist Church - Tract 4 (Southeast Tract) - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1803, 1805, and 1807 Chestnut Avenue (Boggy Creek Watershed). Applicant Request: To rezone from public-neighborhood plan (P-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed November 24, 2020. Owner/Applicant: David Chapel Missionary Baptist Church (Joseph C. Parker, Jr.). Agent: Husch Blackwell (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122 District(s) Affected: District 1.

A motion to postpone this item to December 10, 2020 at the request of staff was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

64. C14-2020-0093 - 4329 S Congress Avenue - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4329 and 4341 South Congress Avenue (Williamson Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner: South Congress Development LLC. Agent: Drenner Group PC (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 3.
The motion to postpone this item to December 10, 2020 at the request of the neighborhood and the applicant was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
65. NPA-2020-0016.03 - 1135 Gunter St. -Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, 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 1129 ½ and 1135 Gunter Street (Boggy Creek Watershed) from Commercial and Single Family to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use land use. Owners/Applicants: 1135 Gunter Partners, LP (Tract 1) and Renaissance Family Properties, LP (Tract 2). Agent: Armbrust and Brown, PLLC (Michael Whellan). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 3.
The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
66. C14-2020-0083 1135 Gunter St. - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1129-1/2 and 1135 Gunter Street (Boggy Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning and family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner/Applicant: 1135 Gunter Partners, LP and Renaissance Family Properties, LP. Agent: Armbrust & Brown, LLP (Michael Whellan). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.
The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

67. NPA-2020-0016.02 - Trailhead Phase II -Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, 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 1101 Shady Lane (Boggy Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: SL4 Airport, LP (John Kiltz). Agent: Land Use Solutions, LLC (Michele Haussmann). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 3.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201203-067 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
68. C14-2020-0082 - Trailhead Phase II - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1101 and 1109 Shady Lane (Boggy Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and community commercial-neighborhood plan (GR-NP) combining district zoning to general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Owner: SL4 Airport, LP (John Kiltz). Agent: Land Use Solutions, LLC (Michele Haussmann). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 3.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201203-068 for general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
69. C14-2020-0108 Rogers Ln Project - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5206 and 5208 Rogers Lane (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Applicant: Capital River Group LLC- Series 24 (Stuart Carr). 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. 20201203-069 for family residence (SF-3) district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.
70. C14-2020-0109 - 411 Radam Ln - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 411 Radam Lane (Williamson Creek Watershed). Applicant's Request: To rezone from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning to limited office-conditional overlay-

neighborhood plan (LO-CO-NP) combining district zoning, to change conditions of zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning, to change conditions of zoning. Owner: CCD-Radam Ln, Ltd. (Greg Keshishian). Agent: Land Strategies, Inc. (Erin Welch). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201203-070 for limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning, to change conditions of zoning was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

71. C14-2020-0097 - Evergreen at Mary - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1709 & 1803 Evergreen Ave and 1204 W Mary St (West Bouldin Creek Watershed). Applicant Request: To rezone Tract 1 from family residence (SF-3) district zoning and general commercial services (CS) district zoning to general commercial services - mixed use (CS-MU) combining district zoning; and Tract 2 from multifamily residence medium density - historic landmark (MF-3-H) combining district to general commercial services - mixed use - historic landmark (CS-MU-H) combining district. Staff, Historic Landmark Commission and Planning Commission Recommendation: To grant general commercial services - mixed use (CS-MU) combining district zoning for Tract 1 and general office - mixed use - historic landmark (GO-MU-H) combining district zoning for Tract 2. Owner: Helsinki Partners LLC (Jesse Boskoff). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 5.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201203-071 for general commercial services - mixed use (CS-MU) combining district zoning for Tract 1 and general office - mixed use - historic landmark (GO-MU-H) combining district for Tract 2 was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

73. C14-2020-0092 - 13505 Burnet Road Rezoning -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 13505 Burnet Road (Walnut Creek Watershed). Applicant Request: To rezone from industrial park (IP) district zoning to multifamily residence-moderate-high density (MF-4) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence-medium density (MF-3) district zoning. Owner/Applicant: Grand HP, Ltd. (Richard Hill). Agent: Smith Robertson LLP (David Hartman). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201203-073 for multifamily residence-moderate-high density (MF-4) district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 11-0 vote.

74. NPA-2019-0015.01-5010 & 5102 Heflin Lane - Conduct a public hearing and approve an ordinance amending Ordinance No.021107-Z-11, the East MLK Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 5010 and 5102 Heflin Lane, (Fort

Branch Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation and Planning Commission Recommendation: To Grant Higher Density Single Family land use. Owner: Heflin Phase I LLC; Agent: Ron Thrower; Thrower Design. City Staff: Kathleen Fox, (512) 974-7877. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, and Council Members Casar, Ellis, Flannigan, Harper-Madison, Kitchen, and Renteria. Those voting nay were: Council Members Alter and Pool. Council Member Tovo abstained.

75. 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 and 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) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only was approved on Mayor Pro Tem Garza's motion, Council Member Pool's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, and Council Members Casar, Ellis, Flannigan, Harper-Madison, Kitchen, and Renteria. Those voting nay were: Council Members Alter and Pool. Council Member Tovo abstained.

AUSTIN HOUSING AND FINANCE CORPORATION MEETING

Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:33 p.m. See separate minutes.

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

Mayor Adler reconvened the Council Meeting at 3:38 p.m.

Mayor Adler recessed the Council Meeting to go into Executive Session at 3:40 p.m.

EXECUTIVE SESSION CONTINUED

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and

personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

55. Discuss real estate matters related to the purchase, exchange, lease, or value of real property located at 1215 Red River and 606 East 12th, the former Health South tract (Real property - Section 551.072 of the Government Code).

Discussion occurred.

Executive Session ended and Mayor Adler reconvened the Council Meeting at 4:29 p.m. Council Members Alter, Ellis, Flannigan, Harper-Madison, and Kitchen were off the dais.

DISCUSSION ITEMS

11. Approve a resolution authorizing the creation of temporary Chapter 380 programs that support tenants operating a childcare business, live-music venue, arts venue, or restaurant/bar and exempting these temporary Chapter 380 programs from the requirements of Resolution No. 20180830-056. Strategic Outcome(s): Economic Opportunity and Affordability.
Resolution No. 20201203-011 was approved as amended below on Council Member Casar's motion, Council Member Ellis' second on a 10-0 vote. Council Member Kitchen was off the dais.

The following amendment was offered by Council Member Casar and accepted without objection. The amendment was to include the following language:

"The City Manager shall prioritize applications for businesses that provide living wages, paid sick leave, or health insurance.

The City Manager shall require one of the following, whichever is more feasible:

- Participants will adhere to worker safety protections and workers' rights as applicable to the facility and business operations in accordance with local, state, and federal laws. The City may find a breach of the program guidelines if a program participant is found to have violated workers' rights for a period of two years from the execution of program agreements, either because of a substantiated finding as determined by the City and is not cured by the participant, of unfair labor practices, worker safety violations, violation of anti-discrimination laws, or violation of other applicable worker rights laws.**
- Applicants shall be disqualified if the applicant is found to have violated workers' rights in the last five years, either because of a substantiated finding as determined by the City and is not cured by the participant, of unfair labor practices, worker safety violations, violation of anti-discrimination laws, or violation of other applicable worker rights laws."**

Council Member Casar provided the following staff direction that was accepted without objection. The direction was:

The City Manager is directed, as far as is possible before the end of the year, to return to Council with options to supplement this program in a way that stays within our financial policies and without reducing funding for other already scheduled programs.

40. Approve an ordinance waiving right-of-way fees in an amount not to exceed \$3,300,000 related to the realignment of Red River Street between 12th and 15th Streets by Travis County Healthcare District doing business as Central Health. District(s) Affected: District 1. Strategic Outcome(s): Mobility; Government that Works for All; Economic Opportunity and Affordability **Ordinance No. 20201203-040 was approved on Council Member Ellis' motion, Mayor Adler's second on a 9-0 vote. Council Member Alter abstained. Council Member Kitchen was off the dais.**

PUBLIC HEARINGS

51. Conduct a public hearing and consider second and third readings of 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 #52
The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance on second reading only was made on Council Member Alter's motion, Council Member Ellis' second.

Staff offered the following amendments that were accepted without objection. The amendments were:

Amend Part 2 by adding a new Section (D)(1) as follows, and renumbering the subsequent sections accordingly:

"(1) A street impact fee shall not be collected from a new development for any building permit validly issued within one year of the effective date of this ordinance."

Amend Part 2 by adding a new Section (D)(2) as follows, and renumbering the subsequent sections accordingly:

"(2) For new developments with an approved transportation impact analysis on the effective date of this ordinance, a street impact shall not be collected for any building permit validly issued within three years of such effective date."

Amend Part 2 by adding a new Section (D)(3) as follows, and renumbering the subsequent sections accordingly:

"(3) For any new development that does not increase net new trips comparative to the existing land use by more than 10 PM peak hour trips, the collection rate will be \$0 per vehicle-mile. The collection rate then in effect shall apply to a subsequent addition of service units."

The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance as amended above on second reading only was approved on Council Member Alter's motion, Council Member Ellis' second on an 11-0 vote.

The following direction was provided to staff and accepted without objection. The direction was:

The following direction was provided to staff and accepted without objection. The direction was to provide a technical analysis before third reading to review the possibility of implementing the fees one year after the new Traffic Criteria Manual rules are posted; to clarify the intent of the language relating to the PM Trips; and clarify about which grace periods are already built in and why staff and the Impact Fee Advisory Committee felt that those were sufficient.

52. Conduct a public hearing and consider second and third readings of an ordinance amending City Code Title 25 (Land Development) to include a street impact fee program. Related to item #51. The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance on second reading only was made on Council Member Alter's motion, Council Member Ellis' second.

Staff offered the following amendments that were accepted without objection. The amendments were:

Amend Part 2, Article 9, § 25-6-663 by removing part (C)

Amend Part 2, Article 9, § 25-6-663 by removing part (D)

Amend Part 2, Article 9, § 25-6-667 by removing part (C)

Amend Part 2, Article 9, § 25-6-668(B)(1) to read:

“(1) approved for local, state, or federal funding for affordable housing as verified by the director of the Housing and Planning Department; or”

The public hearing was conducted and a motion to keep the public hearing open and approve the ordinance as amended above on second reading only was approved on Council Member Alter's motion, Council Member Ellis' second on an 11-0 vote.

The following direction was provided to staff and accepted without objection. The direction was to provide a technical analysis before third reading to review the possibility of implementing the fees one year after the new Traffic Criteria Manual rules are posted; to clarify the intent of the language relating to the PM Trips; and clarify about which grace periods are already built in and why staff and the Impact Fee Advisory Committee felt that those were sufficient.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

72. C14-2020-0091 - Johnny Morris Road Light Industrial -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6215 ½ Johnny Morris Road (Walnut Creek Watershed). Applicant Request: To rezone from limited industrial

services-conditional overlay (LI-CO) combining district zoning and warehouse limited office-conditional overlay (W/LO-CO) combining district zoning to limited industrial services (LI) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Owner/Applicant: Texas Coldworks, LLC (Christian Garces). Agent: Kimley-Horn (Harrison M. Hudson, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 1.

This item was postponed to January 27, 2021 on Council Member Harper-Madison's motion, Mayor Pro Tem Garza's second on an 11-0 vote.

Mayor Adler adjourned the meeting at 4:56 p.m. without objection.

The minutes were approved on this the 10th day of December 2020 on Council Member Pool's motion, Council Member Harper-Madison's second on a 11-0 vote.