



**AUSTIN CITY COUNCIL
MINUTES**

**WORK SESSION MEETING
TUESDAY, DECEMBER 8, 2020**

The City Council of Austin, Texas convened in a Work Session Meeting on Tuesday, December 8, 2020, via Videoconference.

Mayor Adler called the Council Meeting to order at 9:04 a.m.

BRIEFINGS

- B1. Briefing on Covid-19 related matters, including a report on nursing homes. (Standing staff update). The presentation was made by Stephanie Hayden, Austin Public Health, Dr. Mark Escott, Medical Director, Stacey Chang, Executive Director, Design Institute for Health, University of Texas - Dell Medical Center and Stephanie Morgan, Design Institute for Health, University of Texas - Dell Medical Center.**

Direction was given to staff to include data from Williamson County in future reports and to report back to Council prior to any decisions relating to the closure of any of the Pro Lodges being used during the pandemic.

COUNCIL DISCUSSION

Mayor Adler introduced the agenda for the December 10, 2020 Council meeting and allowed Council to give input or ask questions on any item posted on the agenda. Staff was available to provide verbal responses to Council questions. Discussion was held on the following items taken from Thursday's agenda.

- 20. Approve the recommendation of the Arts Commission to deaccession 'Karst Circle' by W. Gary Smith located at Austin Fire Station 43/EMS Station 31, 11401 Escarpment Blvd, Austin, TX 78739, a public artwork commissioned by the Art in Public Places Program. District(s) Affected: District 8. Strategic Outcome(s): Culture and Lifelong Learning.**
Direction was given to staff to provide Council with information on which items are being recommended for deaccessioning and removal.
- 21. Approve a recommendation of the Arts Commission to deaccession 'Bicentennial Fountain' by Ken Fowler, located at the entrance to Vic Mathias Shores at Lady Bird Lake Metro Park between South 1st St. and W. Riverside Dr., donated to the City, prior to the creation of the Art in Public Places program. District(s) Affected: District 9. Strategic Outcome(s): Culture and Lifelong Learning.**

Direction was given to staff to provide Council with information on which items are being recommended for deaccessioning and removal and to include the Parks and Recreation Board in the discussion of future discussions on deaccessioning of any art located in parklands.

22. Approve the recommendation of the Arts Commission to deaccession 'LAB' by NextProject (Leah Davis, Robert Gay, and Jack Sanders) along the Lance Armstrong Bikeway from MOPAC to Airport Blvd., a public artwork commissioned by the Art in Public Places program. District(s) Affected: District 3, District 9. Strategic Outcome(s): Culture and Lifelong Learning.

Direction was given to staff to provide Council with information on which items are being recommended for deaccessioning and removal.

23. Approve the recommendation of the Arts Commission to deaccession 'Moments' by Carl Trominski located at the Lamar Underpass, on North Lamar between Sandra Muraida Way and 5th Street, a public artwork commissioned by the Art in Public Places Program. District(s) Affected: District 9. Strategic Outcome(s): Culture and Lifelong Learning.

Direction was given to staff to provide Council with information on which items are being recommended for deaccessioning and removal and to include the Parks and Recreation Board in the discussion of future discussions on deaccessioning of any art located in parklands.

24. Approve the recommendation of the Arts Commission to deaccession 'Republic Square Fountain' by James Turner, formerly located at Republic Square Park, donated to the City as part of the Art in Public Places public art collection. District(s) Affected: District 9. Strategic Outcome(s): Culture and Lifelong Learning.

Direction was given to staff to provide Council with information on which items are being recommended for deaccessioning and removal.

6. Approve an ordinance establishing City Code Chapter 15-13 relating to treatment, monitoring, and reporting regulations for Onsite Water Reuse Systems, creating an offense, establishing civil and criminal penalties, and amending City Code Chapter 2-13 relating to administrative penalties. Strategic Outcome(s): Health and Environment.

Direction was given to staff to provide a draft with the section creating criminal penalties removed and to provide more information to Council on the kinds of circumstances that would require a criminal penalty.

7. Approve an ordinance amending City Code Chapter 6-4 (Water Conservation) and City Code Section 15-9-241 (Utility Regulations) relating to water conservation, commercial and industrial cooling tower water efficiency performance standards, operations, registration, and inspection, and creating an offense that may be subject to administrative, civil, or criminal penalties. Strategic Outcome(s): Health and Environment.

Direction was given to staff to provide a draft with the section creating criminal penalties removed and to provide more information to Council on the kinds of circumstances that would require a criminal penalty.

68. C14-2020-0063 - Pier Property Rezoning - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as

1703 River Hills Road (Lake Austin Watershed). Applicant Request: To rezone from commercial-liquor sales (CS-1) district zoning to commercial recreation (CR) district zoning. First Reading approved on October 15, 2020. Vote 10-0. Council Member Tovo abstained. Owner/Applicant: Tires Made Easy, Inc. (Andrew S. Price). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 10.

Direction was given to staff to provide a timeline of which came first the gas station and docks or the water intake and reach out to the Texas Commission on Environmental Quality on how they would treat this zoning case and the subsequent dock construction.

79. C14-2020-0116 - 10304 Old San Antonio Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 10304 Old San Antonio Road (Slaughter Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence-medium density (MF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Owners/Applicants: Bernadette M. Rainosek, Frank A. Miller, and Walter John Miller. Agent: McLean & Howard, LLP (Jeffrey S. Howard). City Staff: Wendy Rhoades, Housing and Planning Department, 512-974-7719. District(s) Affected: District 5.

A request to postpone this item will be requested at the December 10, 2020 Council Meeting.

48. Authorize an amendment to an existing contract with 21st Century Policing, LLC, to provide consulting engagement in support of the City-Community Reimagine Public Safety Task Force, for an increase in the amount of \$180,000 and to extend the term for up to six months. Strategic Outcome(s): Government that Works for All.

Mayor Adler recessed the meeting at 12:30 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.

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

Withdrawn

- E2. Discuss legal issues related to Smith et al v. City of Austin et al, Cause No. 1:18-cv-505 in the United States District Court Western Division, Austin, Texas; Senko et al v. City of Austin et al, Cause No. 1:20-cv-01047, in the United States District Court Western Division, Austin, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

- E3. Discuss the employment, duties, and evaluation of the City Manager (Personnel matters - Section 551.074 of the Government Code).

Mayor Adler announced that item 30 would be discussed in Executive Session.

30. 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.

Executive Session ended at 4:24 p.m.

COUNCIL DISCUSSION CONTINUED

30. 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.

A request to postpone this item will be made at the December 10, 2020 Council Meeting.

Mayor Adler adjourned the meeting at 4:25 p.m. without objection

The minutes were approved on this the 27th day of January 2021 on Council Member Tovo's motion, Council Member Ellis' second on a 11-0 vote.