

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, DECEMBER 10, 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 December 1, 2020 and regular meeting of December 3, 2020.

The motion to approve the minutes of the Austin City Council work session of December 1, 2020 and regular meeting of December 3, 2020 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

2. Authorize negotiation and execution of a ninth renewal to the interlocal agreement with Travis County for the City's provision of animal services, for a nine-month period beginning January 1, 2021 in an amount not to exceed \$2,074,286 to be paid to the City. Strategic Outcome(s): Health and Environment.

The motion authorizing the negotiation and execution of a ninth renewal to the 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.

Item 3 was pulled for discussion.

4. Approve an ordinance authorizing the issuance of City of Austin, Water and Wastewater System Revenue Bonds, Series 2021A, in the par amount of \$10,400,000, and approving related documents. Strategic Outcome(s): Government That Works for All.

Ordinance No. 20201210-004 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

5. Approve an ordinance authorizing the issuance of City of Austin, Water and Wastewater System Revenue Bonds, Series 2021B, in the par amount of \$9,400,000, and approving related documents. Strategic Outcome(s): Government That Works for All.
Ordinance No. 20201210-005 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.
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.
Ordinance No. 20201210-006 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza abstained.
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.
Ordinance No. 20201210-007 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza abstained.
8. Authorize negotiation and execution of a contract with Shady Hollow Municipal Utility District (District) for the City to provide wholesale water and wastewater services to the District. Strategic Outcome(s): Government That Works for All. Recommended by the Water and Wastewater Commission on a 10-0 vote with no members absent.
The motion authorizing the negotiation and execution of a contract with Shady Hollow Municipal Utility District was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.
9. Authorize award and execution of a construction contract with Underground Water Solutions, Co. (MBE) for the Asbestos Cement Water Pipe and WW Line Replacement (NE) project in the amount of \$3,306,370 plus a \$330,637 contingency, for a total contract amount not to exceed \$3,637,007. [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 81.40% MBE and 1.31% WBE participation.] District(s) Affected: District 1, District 2. Strategic Outcome(s): Health and Environment
The motion authorizing the award and execution of a construction contract with Underground Water Solutions, Co. 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 KDK Group, LLC (WBE) for the Cepeda Library Branch Renovation project in the amount of \$462,151.00 plus a \$46,215.10 contingency, for a total contract amount not to exceed \$508,366.10. [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 15.08% MBE and 44.83% WBE participation.] District(s) Affected: District 3. Strategic Outcome(s): Culture and Lifelong Learning; Government That Works for All

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

11. Authorize award and execution of a construction contract with Jamail & Smith Construction, LP, for the Electrification Infrastructure Phase 3 Indefinite Delivery/Indefinite Quantity (IDIQ) contract, in the amount of \$500,000 for a one-year term. [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 6.67% MBE and 1.74% WBE participation.] Strategic Outcome(s): Economic Opportunity and Affordability; Health and Environment; Mobility

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

12. Authorize award and execution of a construction contract with MAC, Inc., for the Fort Branch Creek - Delores Tributary Waste Removal and Stream Restoration project in the amount of \$3,539,454 plus a \$353,945.40 contingency, for a total contract amount not to exceed \$3,893,399.40. [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 12.67% MBE and 0.12% WBE participation.] District(s) Affected: District 1. Strategic Outcome(s): Safety; Health and Environment

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

13. Authorize award and execution of a construction contract with PGC General Contractors, LLC, for the Hornsby Bend Transfer Pump Station and Irrigation System Improvements project in the amount of \$15,875,000 plus a \$1,587,500 contingency, for a total contract amount not to exceed \$17,462,500. [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 33.38% MBE and 0.95% WBE participation.] Strategic Outcome(s): Health and Environment

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

14. Ratify a professional services agreement with Wiss, Janney, Elstner Associates, Inc., to provide emergency engineering services for void mitigation in the rights-of-way located at 500 East 4th Street for a total contract amount not to exceed \$327,172.87. Related to Item #17 [Note: This contract will be awarded in compliance with Minority Owned and Women Owned Business

Enterprise Procurement Program pursuant to MBE/WBE Program Rule Subsection 1.2.1(I), this procurement is exempt from the Owner's MBE/WBE Program requirements as a public health and safety purchase as provided in the MBE/WBE Program Rules.] District(s) Affected: District

9. Strategic Outcome(s): Safety

The motion to ratify a professional services agreement with Wiss, Janney, Elstner Associates, Inc. was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

15. Authorize negotiation and execution of a professional services agreement with the following seven staff recommended firms (or other qualified responders): Raba Kistner, Inc.; Kitchell Corporation dba Kitchell Cem; Wiss, Janney, Estner Associates, Inc.; Amtech Solutions, Inc.; Braun Intertec Corporation; PBK Architects, Inc. dba BEAM Professionals; and Engineered Exteriors, LLC (WBE); for Request for Qualifications Solicitation No.CLMP307 for architectural services for the 2021 Roofing and Waterproofing Consultant Services Rotation List in an amount not to exceed \$1,600,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were insufficient subcontracting opportunities, therefore, no subcontracting goals were established.] Strategic Outcome(s): Safety; Health and Environment

The motion authorizing negotiation and execution of a professional services agreement with the following seven staff recommended firms (or other qualified responders): Raba Kistner, Inc.; Kitchell Corporation, doing business as Kitchell Cem; Wiss, Janney, Estner Associates, Inc.; Amtech Solutions, Inc.; Braun Intertec Corporation; PBK Architects, Inc. doing business as BEAM Professionals; and Engineered Exteriors, LLC was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

16. Authorize negotiation and execution of an amendment to the design build agreement with JE Dunn Construction Inc., for preconstruction services, schematic design services, and construction services for New Fire and EMS Stations in an amount of \$2,000,000, for a total contract amount not to exceed \$27,500,000. [Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date for the Design Phase is 6.97% MBE and 5.38% WBE. Current participation to date for the Construction Phase is 7.62% MBE and 4.01% WBE.] Strategic Outcome(s): Safety; Government that Works for All

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

17. Ratify an emergency construction contract with Jay-Reese Contractors, Inc., for emergency right-of-way repairs to the 500 East 4th Street right-of-way, for a total contract amount not to exceed \$4,454,517.15. Related to Item #14 [Note: This contract will be awarded in compliance with Minority Owned and Women Owned Business Enterprise Procurement Program pursuant to MBE/WBE Program Rule Subsection 1.2.1(I), this procurement is exempt from the Owner's

MBE/WBE Program requirements as a public health and safety purchase as provided in the MBE/WBE Program Rules.] District(s) Affected: District 9. Strategic Outcome(s): Safety

The motion to ratify an emergency construction contract with Jay-Reese Contractors, Inc. was approved on consent Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

Item 18 was pulled for discussion.

19. Authorize negotiation and execution of an interlocal agreement with the Austin Travis County Mental Health Mental Retardation Center D/B/A Integral Care for the Health Care for the Homeless Health and Wellness Center, which offers behavioral health services integrated with primary care, for a 12-month term beginning on January 1, 2021 in an amount not to exceed \$259,306. Strategic Outcome(s): Economic Opportunity and Affordability

The motion authorizing the negotiation and execution of an interlocal agreement with 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.

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

The motion to approve the recommendation of the Arts Commission was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

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

The motion to approve the recommendation of the Arts Commission was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

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

The motion to approve the recommendation of the Arts Commission was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

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

The motion to approve the recommendation of the Arts Commission was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

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

The motion to approve the recommendation of the Arts Commission was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

25. Ratify a contract amendment with United Way for Greater Austin to administer an additional \$5,000,000 in emergency Austin Childcare Provider Relief Grant funds for a total contract amount not to exceed \$6,148,000. Strategic Outcome(s): Economic Opportunity and Affordability.

The motion to ratify a contract amendment with United Way for Greater Austin was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

26. Ratify a contract with Health Alliance for Austin Musicians for a total of \$500,000 for services inclusive of their Healthcare Access Program providing resources and healthcare insurance access to Austin musicians, as a result of the COVID-19 pandemic. Strategic Outcome(s): Economic Opportunity and Affordability.

The motion to ratify a contract with Health Alliance for Austin Musicians was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

27. Ratify a contract with Alliance Work Partners for a total of \$500,000 to provide a COVID-19 Health and Wellness Support Line offering short-term counseling and support to Austin workers and families whose mental health has been impacted by the COVID-19 pandemic. Strategic Outcome(s): Economic Opportunity and Affordability.

The motion to ratify a contract with Alliance Work Partners was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

28. Authorize negotiation and execution of one-year contracts with the Multi-Ethnic Chamber Alliance chambers of commerce, the Austin LGBT Chamber of Commerce, and the Austin Young Chamber to provide business development, economic development, and recruitment and retention services in an amount not to exceed \$901,029. Strategic Outcome(s): Economic Opportunity and Affordability.

The motion authorizing the negotiation and execution of one-year contracts with the Multi-Ethnic Chamber Alliance chambers of commerce, the Austin LGBT Chamber of

Commerce, and the Austin Young Chamber was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

29. Authorize negotiation and execution of one-year contract with the Greater Austin Economic Development Corporation to provide business development, economic development, and recruitment and retention services in an amount not to exceed \$350,000. District(s) Affected: District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, District 10. Strategic Outcome(s): Economic Opportunity and Affordability.

The motion authorizing the negotiation and execution of one-year contract with the Greater Austin Economic Development Corporation was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

Item 30 was pulled for discussion.

31. Approve an ordinance authorizing the acceptance of emergency grant funding in the amount of \$7,262,074 from the U.S. Department of Housing and Urban Development (HUD) for Community Development Block Grant (CDBG-CV)-based COVID-19 relief programs; and amending the Fiscal Year 2020-2021 Housing and Planning Department Operating Budget (Ordinance No. 20200812-001) by appropriating the \$7,262,074 accepted from HUD for CDBG-CV-based COVID-19 relief programs; and authorizing the City Manager to apply for CARES Act funds and to negotiate with the federal government to receive the CARES Act funds. Strategic Outcome(s): Economic Opportunity and Affordability.

Ordinance No. 20201210-031 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

32. Authorize negotiation and execution of a one-year agreement with El Buen Samaritano for rental arrears assistance, moving, storage, and tenant relocation services for COVID-19-impacted households in an amount not to exceed \$880,000. Strategic Outcome(s): Economic Opportunity and Affordability.

The motion authorizing the negotiation and execution of a one-year agreement with El Buen Samaritano 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 amendment to the 2020-2021 Service Agreement with the Austin Housing Finance Corporation to decrease funding from the U.S. Department of Housing and Urban Development for the HOME Investment Partnership Program in the amount of \$699.00 for a total contract amount not to exceed \$75,603,958. Strategic Outcome(s): Economic Opportunity and Affordability

The motion authorizing the negotiation and execution of an amendment to the 2020-2021 Service Agreement with the Austin Housing Finance Corporation was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

34. Approve an ordinance amending Ordinance No. 20200604-044 by deleting and replacing Exhibit 'A' related to the Austin Green Improvement District No. 1 (Tesla site) Consent Agreement to

amend deadlines in the Consent Agreement. District(s) Affected: District 2. Strategic Outcome(s): Economic Opportunity and Affordability

Ordinance No. 20201210-034 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

35. Authorize negotiation and execution of an amendment to the legal services agreement with Schmoyer Reinhard, LLP for legal services related to Jason Dusterhoff v. City of Austin et al Cause No. 1:20-cv-01081 in the United States District Court Western District of Texas, Austin Division in the amount of \$295,400 for a total contract amount not to exceed \$355,400. Strategic Outcome(s): Government That Works For All.

The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Schmoyer Reinhard, LLP was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

36. Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire one Drainage Easement and one Temporary Working Space Easement for the West Bouldin Creek-Del Curto Storm Drain Improvement Project. The Drainage Easement acquisition is made up of three tracts of land, the first containing 0.007 of an acre (301 sq.ft.) of land, the second containing 0.010 of an acre (441 sq. ft.), and the third containing 0.050 of an acre (2,181 sq.ft.) of land. The Temporary Working Space Easement acquisition is 0.033 of an acre (1,442 sq.ft.) of land. All easements being out of the Isaac Decker League Survey No. 20, in the City of Austin, Travis County, Texas, being out of a 0.47 acre tract of land and the west 58 feet of Lot 16, Block 1, Fredericksburg Road Acres, a subdivision of record in Volume 3, Page 168, Plat Records of Travis County, Texas, said 0.47 acre tract being described in a Warranty Deed to Aaron J. McIntyre and Emily McIntyre of record in Document Number 2012049615, Official Public Records of Travis County, Texas. All easements are located at 2113 Thornton Road, Austin, Texas 78704, to be acquired from Aaron J. McIntyre and Emily McIntyre in an amount not to exceed \$169,493 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 or desirable to acquire one Drainage Easement and one Temporary Working Space Easement was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

37. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to grant a 18,865 sq. ft. access easement on a portion of a 0.598 acre tract of land conveyed to the City of Austin in Volume 12550, Page 1002 of the Real Property Records of Travis County, Texas, and a portion of Lot 1, Braker at Burnet, Section Four, Recorded in Volume 89, Page 37 Plat Records of Travis County, Texas, and a 43,158 sq. ft. wastewater easement and 14,525 sq. ft. access easement on portions of Lot 1, Braker at Burnet, Section Four, recorded in Volume 89, Page 37, located at 10414 McKalla Place, Austin, Texas to Capella Capital Partners, Ltd. District(s) Affected: District 7. Strategic Outcome(s): Health and Environment.

Ordinance No. 20201210-037 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

38. Authorize the negotiation and execution of any and all documents and instruments necessary or desirable to purchase in fee simple a tract of land totaling approximately 9.72 acres of land in Hays County, located along the south side of Onion Creek, north of FM150, and west of Kyle, Texas from Pat J. Rutherford Jr., for a total amount not to exceed \$309,000.00 including closing costs. Strategic Outcome(s): Health and Environment.
The motion authorizing the negotiation and execution of any and all documents and instruments necessary or desirable to purchase in fee simple a tract of land totaling approximately 9.72 acres was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.
39. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) authorizing 2.0 full-time equivalent grant funded positions from the U.S. Department of Housing and Urban Development through the Emergency Solutions Grant COVID-19 funds. Strategic Outcome(s): Economic Opportunity and Affordability.
Ordinance No. 20201210-039 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 ninth renewal to the interlocal agreement with Travis County for the City's provision of public health services, for a nine-month period beginning January 1, 2021 in an amount not to exceed \$4,836,517 to be paid to the City. Strategic Outcome(s): Health and Environment.
The motion authorizing the negotiation and execution of a ninth renewal to the 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.
41. Authorize negotiation and execution of Amendment No. 5 to an agreement with Texas RioGrande Legal Aid, Inc. for tenant advocacy services to add a 12-month extension option in an amount not to exceed \$460,000, for a total agreement amount not to exceed \$2,570,000. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion authorizing the negotiation and execution of Amendment No. 5 to an agreement with Texas RioGrande Legal Aid, Inc. 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 an agreement with Caritas of Austin to provide rapid rehousing services to individuals experiencing homelessness that are residing in protective lodges and/or at high risk for contracting COVID-19, for a 21-month term in an amount not to exceed \$7,500,000. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion authorizing the negotiation and execution of an agreement with Caritas of Austin 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 an interlocal agreement with the University of Texas at Austin-Dell Medical School to conduct two studies regarding (1) the impact of COVID-19 on

individuals with severe mental illness, and (2) the longevity of COVID-19 antibody responses in the Austin population, for a term from December 14, 2020 through August 30, 2022, in an amount not to exceed \$939,022. Strategic Outcome(s): Strategic Outcome(s):

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.

44. Authorize award of a multi-term contract with Affordable Funeral Supply, LLC, to provide cemetery materials and equipment, for up to five years for a total contract amount not to exceed \$337,945. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Health and Environment.

The motion authorizing the award of a multi-term contract with Affordable Funeral Supply, LLC was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

45. Authorize award of a multi-term contract with Werd Media Labs, LLC D/B/A The Werd Company, to provide theater lighting, equipment, and supplies, including installation, for up to five years for a total contract amount not to exceed \$970,000. (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 and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Culture and Lifelong Learning.

The motion authorizing the award of a multi-term contract with Werd Media Labs, LLC, doing business as The Werd Company, was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

46. Authorize negotiation and execution of two multi-term cooperative contracts with Arnold Oil Company of Austin LP and Lubricant Products & Supplies LLC, (MWBE), to provide oils, greases, lubricants and parts, for City vehicles and equipment, for up to three years for total contract amounts not to exceed \$1,500,000, divided between the contactors. (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): Mobility.

The motion authorizing the negotiation and execution of two multi-term cooperative contracts with Arnold Oil Company of Austin LP and Lubricant Products & Supplies LLC was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

47. Authorize negotiation and execution of a multi-term contract with Alliant Insurance Services Inc., or the other qualified offeror to Request For Qualification Statements 5800 JSB4005, for citywide cyber liability insurance, for up to five years for a total contract amount not to exceed \$2,430,000.

(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 negotiation and execution of a multi-term contract with Alliant Insurance Services Inc. was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

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.

The motion authorizing an amendment to an existing contract with 21st Century Policing, LLC was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

Item 49 was pulled for discussion.

50. Authorize negotiation and execution of an amendment to the professional services agreements with Jacobs Engineering Group, Inc.; Parsons Transportation Group, Inc.; CAS Consulting & Services, Inc. (MBE); AECOM Technical Services, Inc.; HDR Engineering, Inc.; Atkins North America, Inc.; Freese & Nichols, Inc.; Dannenbaum Engineering Company-Austin LLC; MWM DesignGroup, Inc. (WBE); Walker Partners, LLC; BGE, Inc.; and Klotz Associates, Inc. dba RPS Klotz Associates; for engineering services for the 2020 Large Scale General Civil Engineering Services Rotation List in the amount of \$10,800,000 for a total contract amount not to exceed \$21,200,000, divided among the firms. [Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with 15.80% MBE and 15.80% WBE goals attached to the contract.] Strategic Outcome(s): Mobility; Government that Works for All; Safety; Health and Environment

The motion authorizing the negotiation and execution of an amendment to the professional services agreements with Jacobs Engineering Group, Inc.; Parsons Transportation Group, Inc.; CAS Consulting & Services, Inc.; AECOM Technical Services, Inc.; HDR Engineering, Inc.; Atkins North America, Inc.; Freese & Nichols, Inc.; Dannenbaum Engineering Company-Austin LLC; MWM DesignGroup, Inc.; Walker Partners, LLC; BGE, Inc.; and Klotz Associates, Inc. doing business as RPS Klotz Associates was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

51. Authorize award and execution of a construction contract with DeNucci Constructors, LLC, for the South Lamar Boulevard Corridor - Riverside Drive to Barton Springs Road project in the amount of \$6,142,492 plus a \$737,099 contingency, for a total contract amount not to exceed \$6,879,591. [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 12.00% MBE and 2.21% WBE participation. District(s) Affected: District 5. Strategic Outcome(s): Mobility; Safety

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

52. 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 were approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote:

Nominations

Board/Nominee

Nominated by

Environmental Commission

Audrey Bixler

Council Member Kitchen

53. Approve an ordinance waiving or reimbursing certain fees for the Festival of Lights, hosted by the Hindu Students Association of the University of Texas at Austin, that was held on November 11, 2020 at 110 Inner Campus Drive. Council Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Council Member Alison Alter, Council Member Leslie Pool.

Ordinance No. 20201210-053 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

54. Approve an ordinance amending Ordinance No. 20200917-106 to extend the applicability period and expiration date in Ordinance No. 20200326-090, which relates to requiring notices of proposed eviction. Council Sponsors: Council Member Gregorio Casar, Mayor Steve Adler, Council Member Kathie Tovo, Council Member Ann Kitchen, Mayor Pro Tem Delia Garza.

Ordinance No. 20201210-054 was approved on consent with the following amendment on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

The amendment was to revise the date to March 5th, 2021.

55. Approve a resolution directing the City Manager to work with the City's Joint Inclusion Committee to provide recommendations for adoption of a social contract in alignment with the Compassion 2020 Compassion Contract. Council Sponsors: Council Member Natasha Harper-Madison, Mayor Steve Adler, Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria, Council Member Jimmy Flannigan.

Resolution No. 20201210-055 was approved on consent on Council Member Pool's motion, Council Member Harper-Madison's second on an 11-0 vote.

ITEMS REFERRED FROM COUNCIL COMMITTEES

56. Approve amendments to the bylaws for the Parks and Recreation Board and the Mayor's Committee for People with Disabilities. Council Sponsors: Audit and Finance Committee.
The motion approving amendments to the Parks and Recreation Board and the Mayor's Committee for People with Disabilities was approved on Council Member Alter's motion without objection.
57. Approve the appointment of members to the Central Health Board of Managers. Council Sponsors: Health and Human Services Committee.
The motion to approve the following appointments to the Central Health Board of Managers was approved on Council Member Harper-Madison's motion without objection:
- Amit Motwani, joint appointment with Travis County
 - Cynthia Brinson

EMINENT DOMAIN

58. Approve a resolution authorizing the filing of eminent domain proceedings for the Rock Harbour Lift Station Improvements Project for a Public Utility Easement acquisition of approximately 0.055 acres (approximately 2,400 square feet) of land situated in Lot 1 Block A, Canyon Creek III at Rock Harbour, a subdivision in the City of Austin, Travis County, Texas, of Record in document number 200000026, Official Public Records, Travis County, Texas, Said Lot 1, Block A, being described in a Warranty Deed to Cantebrea Crossing Texas, LLC., a Texas Limited Partnership of Record in Document number 2016008640, Official Public Records, Travis County Texas, in the amount of \$677, for the public use for providing electric supply to the adjacent City of Austin water lift station necessary to the operation of the lift station. The owner of the needed property is Cantebrea Crossing Texas, LLC., a Delaware limited liability company. The property is located entirely within District 6, at 8021 N Ranch Road 620, Austin, Texas 78726. The general route of the Rock Harbour Lift Station Improvements Project is in Northwest Austin, near the Four Points region at FM 620 and RR 2222, in Austin, Travis County, Texas. District(s) Affected: District 6. Strategic Outcome(s): Health and Environment.
Resolution No. 20201210-058 was approved on Council Member Renteria's motion, Mayor Pro Tem Garza's second without objection.

CITIZEN COMMUNICATIONS: GENERAL

Ethan Smith – Why doesn't UT build more housing?

DISCUSSION ITEMS

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.

This item was postponed to January 27, 2021 on Council Member Tovo's motion, Council Member Kitchen's second without objection.

Mayor Adler recessed the Council Meeting at 12:33 p.m. without objection.

Mayor Adler reconvened the Council Meeting at 1:34 p.m.

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 1:35 p.m. See separate minutes.

59. 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 1:41 p.m.

DISCUSSION ITEMS CONTINUED

Items 3 and 60 were acted on by one motion.

3. Approve an ordinance amending the Fiscal Year 2020-21 Austin Water Community Benefit Charge Fund Budget (Ordinance No. 20200812-001) to increase the other requirements-multifamily cash assistance program discount by \$4,000,000 for a net impact of \$4,000,000 to the ending balance. Related to Item #60. Strategic Outcome(s): Government that Works for All; Economic Opportunity and Affordability.
Ordinance No. 20201210-003 was approved on Council Member Alter's motion, Council Member Tovo's second on a 10-0 vote. Council Member Pool was off the dais.
60. Conduct a public hearing and consider an ordinance amending the Fiscal Year 2020-2021 fees schedule in Ordinance No. 20200812-002 to implement a new Customer Assistance Program discount rate for water customers residing in master-metered multifamily residences. Related to Item #3.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-060 was approved on Council Member Alter's motion, Council Member Tovo's second on a 10-0 vote. Council Member Pool was off the dais.
18. Authorize award and execution of a construction contract with Sayers Construction-Jingoli Power, a Joint Venture LLC, for the Ullrich Water Treatment Plant Low Service Pump Station Electrical Feed Renewal project in the amount of \$22,365,594 plus a \$2,236,559.40 contingency, for a total contract amount not to exceed \$24,602,153.40. [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 achievement of Good Faith Efforts with 0.69% MBE and 0.14% WBE participation.] District(s) Affected: District 8. Strategic Outcome(s): Health and Environment; Safety

The motion authorizing the award and execution of a construction contract with Sayers Construction-Jingoli Power was approved on Council Member Ellis' motion, Council Member Renteria's second on a 10-0 vote. Council Member Pool was off the dais.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

70. C14-2020-0117 - Samsung Rezoning Tract 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3215 East Parmer Lane (Harris Branch Watershed); granting variances to City Code Sections 25-8-42 regarding administrative variances for cut and fill, 25-8-604 regarding tree preservation, and 25-4-153 regarding maximum block length; waiving the requirements of City Code Section 25-8-41; and initiating an amendment to the Pioneer Crossing PUD as necessitated by the removal of this property from the PUD. Applicant Request: To rezone from planned unit development (PUD) zoning to limited industrial-planned development area (LI-PDA) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial-planned development area (LI-PDA) combining district zoning. Owner/Applicant: Samsung Austin Semiconductor. Agent: Drenner Group, PC (Dave Anderson). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-070 for limited industrial-planned development area (LI-PDA) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

71. C14-2020-0118 - Samsung Rezoning Tract 2 and 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3215 East Parmer Lane (Harris Branch Watershed); granting variances to City Code Sections 25-8-42 regarding administrative variances for cut and fill, 25-8-604 regarding tree preservation, and 25-4-153 regarding maximum block length; waiving the requirements of City Code Section 25-8-41; and initiating an amendment to the Pioneer Crossing PUD as necessitated by the removal of this property from the PUD. Applicant Request: To rezone from planned unit development (PUD) zoning to limited industrial-planned development area (LI-PDA) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial-planned development area (LI-PDA) combining district zoning. Owner/Applicant: Samsung Austin Semiconductor. Agent: Drenner Group, PC (Dave Anderson). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-071 for limited industrial-planned development area (LI-PDA) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

72. C14-2020-0006 - 7700 Parmer -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7700 West Parmer Lane (Lake Creek Watershed). Applicant Request: To rezone from limited industrial-planned development area (LI-PDA) combining district zoning to limited industrial-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. Owner/Applicant: BRI 1869 Parmer, LLC. Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-072 for limited industrial-planned development area (LI-PDA) combining district zoning, to change a condition of zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.**
73. C14-2020-0115 - Midtown Flats - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2136 Rutland Drive and 10139 Metropolitan Drive (Little Walnut Creek Watershed). Applicant Request: To rezone from north burnet/gateway-commercial industrial-neighborhood plan (NBG-CI-NP) combining district zoning to north burnet/gateway-warehouse mixed use-neighborhood plan) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant to north burnet/gateway-warehouse mixed use-neighborhood plan) combining district zoning. Owner/Applicant: SL5 ATX Industrial, LP. Agent: City of Austin - Housing and Planning Department (Sherri Sirwaitis). 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. 20201210-073 for north burnet/gateway-warehouse mixed use-neighborhood plan) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.**
74. C14-2020-0090 - Johnny Morris Road Rezoning- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7008 Johnny Morris Road (Walnut Creek Watershed). Applicant Request: To rezone from single-family residence-standard lot (SF-2) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner/Applicant: Arabon Real Estate, LLC. Agent: Thrower Design LLC (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 1.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-074 for community commercial-mixed use conditional overlay (GR-MU-CO) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.**
75. C14-2020-0124 - Gemini Tract A - District 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 14231 North

183A Highway Service Road Northbound (Buttercup Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use (CS-MU) combining district zoning to commercial highway services (CH) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant commercial highway services (CH) district zoning. Owner/Applicant: Ascension Seton (Scott Herndon). Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Wendy Rhoades, Housing and Planning Department, 512-974-7719. District(s) Affected: District 6.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-075 for commercial highway services (CH) district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

76. C14-2020-0125 - Gemini Tract B - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 14231 North 183A Highway Service Road Northbound (Buttercup Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use (CS-MU) combining district zoning to commercial highway services (CH) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant commercial highway services (CH) district zoning. Owner /Applicant: Ascension Seton (Scott Herndon). Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Wendy Rhoades, Housing and Planning Department, 512-974-7719. District(s) Affected: District 6.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-076 for commercial highway services (CH) district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

77. C14-2020-0126 - Gemini Tract C - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 14231 North 183A Highway Service Road Northbound (Buttercup Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use (CS-MU) combining district zoning to commercial highway services (CH) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant commercial highway services (CH) district zoning. Owner/Applicant: Ascension Seton (Scott Herndon). Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Wendy Rhoades, Housing and Planning Department, 512-974-7719. District(s) Affected: District 6.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-077 for commercial highway services (CH) district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

78. C14-2020-0127 - Gemini Tract D - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 14231 North 183A Highway Service Road Northbound (Buttercup Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use (CS-MU) combining district zoning to commercial highway services (CH) district zoning. Staff Recommendation and Zoning and Platting Commission

Recommendation: To grant commercial highway services (CH) district zoning. Owner/Applicant: Ascension Seton (Scott Herndon). Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Wendy Rhoades, Housing and Planning Department, 512-974-7719. District(s) Affected: District 6.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-078 for commercial highway services (CH) district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

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.

The item was postponed to January 27, 2021 at the request of Council Member Kitchen on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

80. NPA-2020-0016.01 - MSC & CTC Tracts - 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 748, 750, 760, 764 Airport Blvd. and 5301 Glissman Road (Boggy Creek Watershed; Colorado River Watershed) from Commercial to Mixed Use land use. Staff Recommendation: To grant the applicant's request for Mixed Use land use. Planning Commission recommendation: To be reviewed on December 8, 2020. Owners/Applicants: Modern Supply Company of Austin, Texas (M. Jack Hall) and Coastal Transport Co., Inc. (Joe A. Morgan). Agent: Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 3.

This item was postponed to January 27, 2021 at the request of staff on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

81. C14-2020-0073 - MSC & CTC Tracts Zoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 748, 750, 760, 764 Airport Boulevard and 5301 Glissman Road (Boggy Creek Watershed; Colorado River Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-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-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on December 8, 2020. Owners/Applicants: Modern Supply Company of Austin, Texas (M. Jack Hall) and Coastal

Transport Co., Inc. (Joe A. Morgan). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, Housing and Planning Department, 512-974-7719. District(s) Affected: District 3.

This item was postponed to January 27, 2021 at the request of staff on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

82. C14H-2020-0113 - E.A. Murchison House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1304 Alta Vista Avenue. Applicant: Thomas Cooke, owner; Casey Jordan, agent. 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, Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Thomas Cooke, owner; Casey Jordan, agent. City Staff: Steve Sadowsky, Historic Preservation Office, Housing and Planning 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. 20201210-082 for family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

83. C14H-2020-0120 - Mutual Building - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 905 Congress Avenue. Applicant: Austin Nelsen, 905, Ltd., owners. Applicant's Request: To rezone from central business district (CBD) zoning to central business district-historic landmark (CBD-H) combining district zoning. Staff recommendation, Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant central business district-historic landmark (CBD-H) combining district zoning. Applicant: Austin Nelsen for 905, Ltd., owners City Staff: Steve Sadowsky, Historic Preservation Office, Housing and Planning 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. 20201210-083 for central business district-historic landmark (CBD-H) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

84. C14H-2020-0133 - David C. Graeber House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4509 Balcones Drive. Applicant: City of Austin Historic Preservation Office. Applicant's Request: To rezone from family residence (SF-3) district zoning to family residence - historic landmark (SF-3-H) combining district zoning. Staff Recommendation, Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant family residence - historic landmark (SF-3-H) district zoning. Applicant: City of Austin Historic Preservation Office/Carla Tremblay, owner. City Staff: Kalan Contreras, Historic Preservation Office, Housing and Planning Department, 512-974-2727. District(s) Affected: District 10.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-084 for family residence - historic landmark (SF-3-H) district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

85. NPA-2020-0021.02 - 1100 Manlove Street -Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055, the East Riverside/Oltorf 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 1100 Manlove Street (Harpers Branch Watershed) from Single Family to Neighborhood Mixed Use land use. Staff Recommendation: To deny the applicant's request for Neighborhood Mixed Use land use. Planning Commission recommendation: To be reviewed on December 8, 2020. Owner/Applicant: Shuler Family Trust of 1998. Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 9.

This item was postponed to January 27, 2021 at the request of the neighborhood on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

86. C14-2020-0081 - 1100 Manlove Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1100 Manlove Street (Harper's Branch Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Staff Recommendation: To deny neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Planning Commission Recommendation: To be heard on December 8, 2020. Owner: Schuler Family Trust of 1998 (John Schuler). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Kate Clark, 512-974-1237 District(s) Affected: District 9.

This item was postponed to January 27, 2021 at the request of the neighborhood on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

92. 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 public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-092 for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district

zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

93. C14-2020-0022 5010 & 5102 Heflin Lane - Conduct a public hearing and approve second and third readings of 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. First reading approved: townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning on December 3, 2020. Vote: 9-2. 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.

This item was withdrawn without objection.

94. NPA-2020-0016.03 - 1135 Gunter St. - Conduct a public hearing and approve second and third readings of 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. Approved First Reading on December 3, 2020. Vote: 11-0. 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.

This item was postponed to January 27, 2021 at the request of staff on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

95. C14-2020-0083 1135 Gunter St. - Conduct a public hearing and approve second and third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 1129-1/2 and 1135 Gunter Street (Boggy Creek Watershed) 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 (CS-MU-V-CO-NP) combining district zoning. First reading approved general commercial services-mixed use-vertical mixed use building-conditional overlay (CS-MU-V-CO-NP) combining district zoning on December 3, 2020. Vote: 11-0. 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.

This item was postponed to January 27, 2021 at the request of staff on Council Member Kitchen's motion, Council Member Ellis' second on an 11-0 vote.

ZONING ORDINANCES / RESTRICTIVE COVENANTS

66. C14-2018-0141 - 1907 Inverness Zoning Change - Approve third reading of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 1907 Inverness Boulevard (Williamson Creek Watershed). Applicant's Request: To rezone from family

residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. First Reading approved on June 6, 2019. Vote: 10-0, Council Member Harper-Madison was off the dais. Second Reading approved on October 15, 2020. Vote: 11-0. Owner/Applicant: Marquee Investments, LLC (Alex Bahrami). Agent: Austex Building Consultants (Jonathan Perlstein). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 5.

Ordinance No. 20201210-066 for neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning was approved on Council Member Kitchen's motion, Mayor Pro Tem Garza's second on an 11-0 vote.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

Items 61 and 62 were acted on by one motion.

61. Conduct a public hearing and consider third reading 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 #62

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-061 was approved as amended below on Council Member Alter and Kitchen's co-motion on an 11-0 vote.

An amendment was approved on Council Member Flannigan's motion without objection.

The amendment was to edit Part 2. (D)(3): (3) to read as follows:

"For any new development that does not increase net new trips comparative to 127 the existing land use by more than 10 PM peak hour trips, the collection rate 128 will be \$0 per vehicle mile. For such lot or tract, this collection rate shall apply to the further addition of net service units provided that the cumulative additional trips for the new development does not exceed 10 PM peak hour trips. For any addition of service units that exceeds the cumulative total of 10 PM peak hour trips for the lot or tract, the collection rate shall be the general collection rate then in effect."

An amendment was approved on Council Member Harper-Madison's motion, Council Member Flannigan's second on a 7-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison and Renteria. Those voting nay were: Council Members Alter, Kitchen, Pool and Tovo.

The amendment was to edit Part 2. D as follows:

"A street impact fee shall not be collected from a new development for any building permit validly issued within eighteen months from today."

Direction was given to staff to work with stakeholders to address outstanding concerns as well as continue the cross departmental effort to evaluate all existing fees leveled on development projects and eliminate fees that could either be eliminated or reduced to offset

the increases from street impact fees. Staff shall provide council with an update on those efforts at or before the June 1st, 2021 council work session.

Direction was given to the City Manager to create and maintain a publicly accessible, online tool to track Street Impact Fee (SIF) revenues, expenditures, and balances by service area. Similar to the Parkland Dedication Fee interactive map, the SIF reporting tool should, to the greatest extent possible, provide transparency regarding the developments generating SIF revenue, the specific infrastructure improvements funded with SIF revenues, and the linkages between the developments and the improvements.

The SIF reporting tool shall be created and made publicly available within six months of fee collections beginning, to coincide with the first staff report on SIF revenues and expenditures to the Impact Fee Advisory Committee (IFAC). The SIF reporting tool shall be updated no less frequently than every six months, to further align with and inform IFAC review of the SIF program.

Direction was given to staff to establish a transparent process for the initial adoption of changes to the Transportation Criteria Manual related to implementation of the Street Impact Fee ordinances and other administrative guidelines related to implementation of the Street Impact Fee ordinances. As part of this process, the applicable changes to the Transportation Criteria Manual and administrative guidelines should be reviewed for conflicts and approved by all related departments, and the final version of changes to the Transportation Criteria Manual and administrative guidelines should be reviewed by the most applicable technical advisory commission for input as part of the stakeholder process. Approval by the technical advisory commission of changes to the Transportation Criteria Manual and administrative guidelines is not required. The goal of this new process is to limit the possibility of an appeal to the City Manager, and to provide as much opportunity for transparent feedback and stakeholder input as possible. The City Manager should report to Council on changes to the rules process and provide any implementing ordinances or resolutions as necessary.

62. Conduct a public hearing and consider third reading of an ordinance amending City Code Title 25 (Land Development) to include a street impact fee program. Related to Item #61.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-062 was approved on was approved on Council Member Alter and Kitchen's co-motion on an 11-0 vote.

Direction was given to staff to establish a transparent process for the initial adoption of changes to the Transportation Criteria Manual related to implementation of the Street Impact Fee ordinances and other administrative guidelines related to implementation of the Street Impact Fee ordinances. As part of this process, the applicable changes to the Transportation Criteria Manual and administrative guidelines should be reviewed for conflicts and approved by all related departments, and the final version of changes to the Transportation Criteria Manual and administrative guidelines should be reviewed by the most applicable technical advisory commission for input as part of the stakeholder process.

Approval by the technical advisory commission of changes to the Transportation Criteria Manual and administrative guidelines is not required. The goal of this new process is to limit the possibility of an appeal to the City Manager, and to provide as much opportunity for transparent feedback and stakeholder input as possible. The City Manager should report to Council on changes to the rules process and provide any implementing ordinances or resolutions as necessary.

Mayor Adler recessed the Council Meeting to go into Executive Session at 3:48 p.m. without objection.

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.

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

Withdrawn

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

Conducted

65. 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).

Withdrawn

Executive Session ended and Mayor Adler reconvened the Council Meeting at 5:44 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

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.

The public hearing was conducted and a motion to close the public hearing and approve on second reading only for commercial recreation (CR) district zoning was approved as

amended below on Council Member Alter's motion, Council Member Flannigan's second on an 11-0 vote.

The amendment was to add a new Part 2, renumbering as necessary, to be the within the boundaries of the conditional overlay combining district established by this ordinance subject to the following condition, service station is not a permitted use of the property.

DISCUSSION ITEMS CONTINUED

49. Approve an ordinance renaming 'Hobby Horse Court' to 'Azul Crossing'. District(s) Affected: District 7. Strategic Outcome(s): Mobility; Government that Works for All
Ordinance No. 20201210-049 was approved as amended below on Council Member Pool's motion, Council Member Casar's second on an 11-0 vote.

The amendment was to name the new public road 'Azul Crossing' that bisects the Brandy Wine property from 'Gault Lane' to the southern end of the project and maintain 'Hobby Horse Court' for the existing segment from 'Gault Lane' north to Gracie Farms Lane.

Mayor Adler recessed the Council Meeting at 6:19 p.m. without objection.

Mayor Adler reconvened the Council Meeting at 7:33 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

69. C14-2020-0044 - Saxon Acres Residential Zoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 316 Saxon Lane and 6328 El Mirando Street (Country Club East and Colorado River Watersheds). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Owner: Saxon Acres LLC (Danny Walker). Applicant: Thrower Design (A. Ron Thrower). City Staff: Kate Clark, 512-974-1237. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-069 for townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Ellis' second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Ellis, Flannigan, Harper-Madison, Pool, Renteria and Tovo. Those voting nay were: Council Members Casar and Kitchen. Council Member Alter was off the dais.

Note: Staff informed Council the valid petition was withdrawn.

67. C14H-2020-0087 - Baker School - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3908 Avenue B. Applicant's Request: To rezone from community commercial-historic area-neighborhood conservation-neighborhood plan (GR-HD-NCCD-NP) combining district zoning to community commercial -historic area-historic landmark-neighborhood conservation-neighborhood plan (GR-HD-H-NCCD-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-historic area-historic landmark-neighborhood conservation-neighborhood plan (GR-HD-H-NCCD-NP) combining district zoning, on a reduced parcel. Historic Landmark Commission Recommendation: To grant community commercial -historic area-historic landmark-neighborhood conservation-neighborhood plan (GR-HD-H-NCCD-NP) combining district zoning. Applicant: Richard Weiss, for Alamo Drafthouse Cinemas Baker LLC, owners. City Staff: Steve Sadowsky, Historic Preservation Office, Housing and Planning 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. 20201210-067 for community commercial - historic area-historic landmark-neighborhood conservation-neighborhood plan (GR-HD-H-NCCD-NP) combining district zoning was approved on Council Member Tovo's motion, Mayor Adler's second on a 7-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Kitchen, Pool, Renteria, and Tovo. Those voting nay were: Council Members Ellis, Flannigan and Harper-Madison. Council Member Alter was off the dais.**

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

Items 88-91 were acted on by one motion.

88. 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; 1807 Ferdinand Street and 1803, 1805, 1807 Chestnut Ave. (Boggy Creek Watershed) from Civic and Single Family to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed on December 8, 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.
- The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Harper-Madison's motion, Council Member Renteria's second on a 10-0 vote. Council Member Alter was off the dais.**
89. 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) 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: to grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed December 8, 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.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning was approved on Council Member Harper-Madison's motion, Council Member Renteria's second on a 10-0 vote. Council Member Alter was off the dais.

90. 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) 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: to grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To be heard December 8, 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.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on Council Member Harper-Madison's motion, Council Member Renteria's second on a 10-0 vote. Council Member Alter was off the dais.

91. 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: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed December 8, 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.

The public hearing was conducted and a motion to close the public hearing and approve on first reading only for grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. was approved on Council Member Harper-Madison's motion, Council Member Renteria's second on a 10-0 vote. Council Member Alter was off the dais.

Items 96 and 97 were acted on by one motion.

96. NPA-2019-0015.01-5010 & 5102 Heflin Lane - Conduct a public hearing and approve second and third readings of 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. First reading approved on December 3, 2020. Vote 9-2. Council Member Alter and Pool voted nay. 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 Ordinance No. 20201210-096 to change the land use designation on the future land use map (FLUM) to Higher Density Single Family land use was approved on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

97. C14-2020-0022 5010 & 5102 Heflin Lane - Conduct a public hearing and approve second and third readings of 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. First reading approved: townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning on December 3, 2020. Vote: 9-2. 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. A valid petition has been filed in opposition to this rezoning case.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-097 for townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning was approved as amended below on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

The amendment was to add a new Part 2 and renumber the remaining parts as necessary:

"Part 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. The maximum height of a building or structure on the Property shall not exceed 34.5 feet.

B. 10-foot wide vegetative buffer shall be provided and maintained along the Property line adjacent to the adjoining residential district."

87. 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.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20201210-087 for planned unit development (PUD) district zoning, with conditions was approved with the following staff amendments on Council Member Casar's motion, Mayor Pro Tem Garza's second on a 7-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria. Those voting nay were: Council Members Alter, Kitchen, Pool and Tovo.

The staff amendments were as follows:

"1. Parking for PARD: Part 12; Paragraph H.

For a period of 40 years from the issuance of the first certificate of occupancy for the project, 218 S. Lamar PUD shall provide to the City of Austin Parks Department ("PARD") 30 unreserved spaces in the project parking garage for use by PARD employees and visitors approved by PARD. Such spaces will be provided free of charge. The operation of the garage, including the 30 spaces provided to PARD, shall be subject to such rules and regulations as the 218 S. Lamar PUD may impose, provided that access to such 30 spaces by PARD employees is preserved as approved by the Director of PARD and Director of Austin Transportation Department or directors' designee and 218 S Lamar PUD.

2. Validations for Daugherty Art Center: Part 12; Paragraph I

For a period of 10 years from the issuance of the first certificate of occupancy for the project, 218 S. Lamar PUD shall provide to the Daugherty Art Museum 50 validation certificates per day allowing patrons of the Daugherty Art Museum a 50% discount from standard evening parking rates in the parking garage for a maximum of three hours during the period from 5:30 pm to 11:00 pm each night.

3. Reserved Parking: Part 12, Paragraph E; Revised

Except as provided in 12-F, all parking on the Property shall be provided in a below-grade parking structure for use by office tenants and patrons of the retail lease space. Parking for tenants shall be decoupled from rent. Except as provided in 12-F, all of the structured parking provided in the property shall be available for public use on a pay per use basis.

4. Use of Rooftop Area: Part 6; Paragraph D; Revised.

218 S Lamar PUD shall provide rooftop amenity space at the Property. The rooftop amenity space shall be open to community groups and non-profit organizations on a reservation basis, and such organizations shall have the right to use such space on the same basis as other tenants or patrons of the project, free of charge. Permitted uses for the rooftop amenity space shall include holding meetings and events; provided that the 218 S. Lamar PUD may impose reasonable rules and regulations for use of the rooftop amenity space, including requiring waivers and insurance for those using the space.

5. Parking Reduction Code Modification: Part 13, Paragraph B
Change 80% to 100%.

6. Open Space: Part 10, Paragraphs A and C Revised.

The minimum open space number is 38% vs 40%

7. Part. 9. Environmental C.

Add: The 218 S. Lamar PUD shall construct a service connection from the Property to connect to the City purple pipe system once the purple pipe system is expanded and connection to the Property is made available”

The following amendments were also included:

- To add to Part 6. A. Vertical mixed use to the CS Zoning**
- Correct Part. 6. H. to reference referencing Chapter 25-2 in place of 25-5**

Mayor Adler adjourned the meeting at 8:53 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.