



# City of Austin

## Agenda

### City Council Work Session

*Mayor Steve Adler*

*Mayor Pro Tem Natasha Harper-Madison, District 1*

*Council Member Vanessa Fuentes, District 2*

*Council Member Sabino "Pio" Renteria, District 3*

*Council Member Gregorio Casar, District 4*

*Council Member Ann Kitchen, District 5*

*Council Member Mackenzie Kelly, District 6*

*Council Member Leslie Pool, District 7*

*Council Member Paige Ellis, District 8*

*Council Member Kathie Tovo, District 9*

*Council Member Alison Alter, District 10*

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**Tuesday, June 1, 2021**

**9:00 AM**

**Via Videoconference**

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

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

#### **A. Pre-Selected Agenda Items**

#### **B. Briefings**

- B1.** Update on homelessness related issues including potential ARP spending.
- B2.** Update on the Aspen Heights Negotiation (HealthSouth).

#### **C. Council Items of Interest**

#### **D. Council Discussion**

- D1.** Discussion regarding Council Meeting options including hybrid meetings.
- D2.** Discuss actions and timeline related to the Interlocal Agreement with the Austin Economic Development Corporation and the scope of work and resources required to support efforts in line with Council Resolution No. 20201001-055.

#### **E. Executive Session**

- E1.** Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E2.** Discuss legal and real estate matters related to the purchase, exchange, lease, or value of an interest in real property and improvements related to the motel conversion strategy to provide services, shelter,

and/or housing (Private consultation with legal counsel -Section 551.071 of the Government Code and Real property -Section 551.072 of the Government Code).

- E3.** Discuss legal issues related to property tax exemptions. (Private consultation with legal counsel -Section 551.071 of the Government Code).
- E4.** Discuss legal and real estate matters related to the transfer of land within the Mueller project to Austin Independent School District (Private consultation with legal counsel -Section 557.071 of the Government Code and Real property - Section 551.072 of the Government Code).
- E5.** Discuss legal issues related to HB 1900, relating to municipalities that adopt budgets that defund municipal police departments. (Private consultation with legal counsel -Section 551.071 of the Government Code).

**Adjourn**

## Consent Agenda

### Approval of Minutes

1. Approve the minutes of the Austin City Council special called of May 4, 2021, work session of May 4, 2021, regular meeting of May 6, 2021, special called of May 11, 2021, special called of May 11, 2021, special called of May 11, 2021, special called of May 17, 2021, special called of May 18, 2021, work session of May 18, 2021, and regular meeting of May 20, 2021.

### Austin Energy

2. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Energy Operating Budget (Ordinance No. 20200812-001) to decrease the Austin Energy Operating Fund Ending Balance by \$1,165,887 and increase the Conservation Rebates expenses by \$1,165,887 to provide additional funding for the Austin Energy Weatherization Assistance Program.

Strategic Outcome(s): Government that Works for All

3. Approve issuance of capacity-based incentives to the Housing Authority of the City of Austin for the installation of solar electric systems on the new multifamily affordable housing community, Pathways at Chalmers Courts East, located at 300 Chicon St., in an amount not to exceed \$323,360.

Strategic Outcome(s): Government That Works for All.

District(s): District 3

### Aviation

4. Authorize the negotiation and execution of a loan agreement and related documents with Austin-Bergstrom Landhost Enterprises, Inc., to address hotel operating expense shortfalls and certain required administrative expenses under the 2017 Bond Indenture for calendar years 2020 through 2022, as a result of the financial impact of COVID-19 on the hotel enterprise, in an amount not to exceed \$2,600,000.

Strategic Outcome(s): Mobility

5. Approve a resolution approving amendments to Austin-Bergstrom Landhost Enterprises, Inc.'s bylaws to designate the number of directors, allow the hiring of a compensated president, with limits on the president's authority, and specifically to include without limitation that the City shall be entitled to approve any management or franchise agreement pursuant to which the property of the corporation is managed or operated.

Strategic Outcome(s): Mobility

### Budget

6. Approve a resolution directing the Chief Financial Officer of the City to calculate the City's proposed voter-approval property tax rate with an increase of 8% above the City's current maintenance and operations rate as allowed by the Texas Tax Code for taxing units located in areas declared a disaster by the Governor of the State of Texas.

## Capital Contracting Office

7. Authorize negotiation and execution of a competitive sealed proposal agreement with Balfour Beatty Construction Group, Inc. for construction services for the Town Lake Metro Park - Seaholm Intake Facility Phase 1 Rehabilitation project in an amount not to exceed \$3,200,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 9.28% MBE and 0.21% WBE participation.].

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

District(s): District 9

8. Authorize award and execution of a construction contract with Muniz Concrete & Contracting, Inc. (MBE), for the FS Driveway Replacements-Fire Stations #15 and #24 project in the amount of \$307,629 plus a \$30,762 contingency, for a total contract amount not to exceed \$338,391.

[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 80.98% MBE and 4.88% WBE participation.].

Strategic Outcome(s): Safety

District(s): District 2; District 3

9. Authorize award and execution of a construction contract with Sefbo Pipeline Bridge, Inc., for the 2016 Bond Intersections Safety Improvements Construction II project in the amount of \$903,329.31 plus a \$90,332.93 contingency, for a total contract amount not to exceed \$993,662.24.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.15% MBE and 1.37% WBE participation.].

Strategic Outcome(s): Mobility

District(s): District 1; District 4; District 9

10. Authorize negotiation and execution of an amendment to the professional services agreement with Miro Rivera - Tatiana Bilbao, LLC, Joint Venture of Miro Rivera Architects Inc. and Tatiana Bilbao SC for professional design services for the renovation and expansion of the Emma S. Barrientos Mexican American Culture Center in the amount of \$1,400,000 for a total contract amount not to exceed \$3,900,000.

[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 is 6.21% MBE and 17.22% WBE.]

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

District(s): District 9

11. Authorize negotiation and execution of a professional services agreement with Trahan Architects APAC (staff recommendation), or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP304 to provide professional design services for the Asian American Resource Center Phase II Improvements project in an amount not to exceed \$720,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 18.00% MBE participation and 16.00% WBE participation.]

**Strategic Outcome(s):** Culture and Lifelong Learning; Government That Works for All; Economic Opportunity and Affordability; Health and Environment

**District(s):** District 1

## **Development Services**

12. Approve an ordinance reauthorizing and modifying the pilot program adopted by Ordinance No. 20200604-047 that authorized specific businesses to use private parking lots and public right-of-way for expanded business operations.

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

13. Approve an ordinance waiving or reimbursing certain development fees and infrastructure support in the amount of \$2,205,601 for construction of Phase III and \$2,106,601 for construction of Phase IV of Community First! Village by Mobile Loaves & Fishes, and authorizing the City Manager to negotiate and execute an agreement with Mobile Loaves & Fishes regarding participation in the costs of constructing a water main associated with construction of Phase III of Community First! Village, in an amount not to exceed \$600,000.

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

14. Approve an ordinance amending the Fiscal Year 2020-2021 Development Services Department Operating Budget (Ordinance No. 20200812-001) to increase the number of authorized staff positions by 41 full-time equivalent staff positions to support the housing goals expressed in Strategic Direction 2023 and the Austin Strategic Housing Blueprint.

**Strategic Outcome(s):** Economic Opportunity & Affordability

## **Housing and Planning**

15. Approve an ordinance terminating the 5200 McKinney Falls Parkway Annexation and Development Agreement (adjacent to District 2).

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

16. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds in an amount not to exceed \$45,000,000 by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin to finance, in part, the new construction of an affordable rental development located at or near 1101 Reinli Street, Austin, Texas 78723.

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

**District(s):** District 4

17. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds in an amount

not to exceed \$50,000,000 by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, to finance, in part, the new construction of an affordable rental development located at or near 5900 South Congress Avenue, Austin, Texas 78745.

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

**District(s):** District 2

## **Law**

18. Authorize negotiation and execution of an amendment to the legal services agreement with Butler Snow, LLP for representation related to Paul Mannie v. City of Austin et al, Cause No. 1:21-cv-202-LY in the United States District Court for the Western District of Texas in an amount of \$239,020 for a total contract amount not to exceed \$250,020.

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

## **Municipal Court**

19. Approve an ordinance amending City Code Chapter 12-5 (Stopping, Standing, and Parking), to add a new Section 12-5-67 relating to parking while accessing or remaining at a polling location to eliminate barriers to parking while participating in an election.

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

## **Office of Real Estate Services**

20. Authorize the negotiation and execution of any and all documents and instruments necessary or desirable to purchase a conservation easement on approximately 4,000 acres of land in Travis County, Texas, located in the Barton Creek Watershed, near Southwest Parkway and US Hwy 71, from The Nature Conservancy for a total amount not to exceed \$2,800,000.00 including closing costs.

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

## **Parks and Recreation**

21. Authorize the negotiation and execution of an interlocal cooperation agreement with Travis County for prescribed fire management, training, and planning and assistance for certain hazardous events.

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

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

22. Authorize the negotiation and execution of an interlocal agreement with the University of Texas at Austin for prescribed fire management, training, and planning and assistance for certain hazardous events.

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

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

## **Public Health**

23. Authorize negotiation and execution of an agreement with Go Austin/Vamos Austin to facilitate a collaborative process in the North Austin/Rundberg neighborhoods to improve health outcomes and

address the social determinants of health, in an amount not to exceed \$175,000 for the term July 1, 2021 to June 30, 2022, with one 12-month extension option in an amount not to exceed \$175,000, for a total agreement amount not to exceed \$350,000.

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

24. Authorize negotiation and execution of an interlocal agreement with Pflugerville Independent School District for the provision of startup costs for one new Pre-Kindergarten classroom to expand affordable high quality early childcare options for Austin/Travis County residents, with a three-month term, in an amount not to exceed \$16,000.

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

25. Authorize negotiation and execution of Amendment No. 1 to an agreement with the Austin Area Urban League for the provision of rental assistance to prevent eviction of low-income Austin/Travis County residents affected by the COVID-19 pandemic, in an amount not to exceed \$93,522 for the term ending on December 31, 2021. Related to Item 21-1978.

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

26. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$93,522 in grant funds from the Texas Department of Housing and Community Affairs, Community Services Block Grant Discretionary Funds for the provision of rental assistance to prevent eviction of low-income Austin/Travis County residents affected by the COVID-19 pandemic. Related to Item 21-1977.

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

27. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$145,000 in additional grant funds from Texas Department of State Health Services for the Texas Tobacco Prevention and Control Grant, Year One.

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

28. Authorize negotiation and execution of an agreement with Austin/Travis County Mental & Health Mental Retardation Center (d/b/a Integral Care) to provide permanent supportive housing to disabled individuals who have experienced chronic homelessness, in an amount not to exceed \$1,558,200 for the term July 1, 2021 to September 30, 2022, with three 12-month extension options each in an amount not to exceed \$1,199,220, for a total agreement amount not to exceed \$5,155,860.

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

29. Ratify an interlocal agreement with University of Texas at Austin to implement and evaluate research-driven pilot projects to improve the well-being of long-term care staff in Travis County, for a five-month term ending on September 30, 2021, for a total agreement amount not to exceed \$90,000.

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

## **Purchasing Office**

30. Authorize negotiation and execution of a contract with Alfa Laval Inc., for the rebuild of a Hornsby Bend belt filter press, in an amount not to exceed \$168,895.

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

Strategic Outcome(s): Health and Environment.

31. Authorize award of a multi-term contract with Schuler Contracting, LLC (WBE), to provide one inch river rock, for up to five years for a total contract amount not to exceed \$2,006,000.

(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 and subcontractor goals were applied to the solicitation. The subcontracting goals were met, and the resulting contract will include 1.60% Combined MBE/WBE participation).

Strategic Outcome(s): Safety; Mobility.

32. Authorize negotiation and execution of six multi-term contracts to provide audio/visual and television broadcast equipment and systems, with Charles Leo Walior d/b/a Wooden Horse LLC or Kvasir Systems; Halbrook and Miller, Inc. d/b/a TM Television; Donald Kenneth Martin d/b/a DVSERVE; Heart of Texas Music, Inc.; Ford Audio-Video Systems LLC; and A & V Holdings Midco, LLC or one of the other qualified offerors to Request For Qualification Statements 5000 BYS4005REBID, each for up to five years for total contract amounts not to exceed \$21,000,000, divided among the contractors.

(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. However, two of the recommended contractors identified subcontracting opportunities).

Strategic Outcome(s): Government That Works for All.

33. Authorize an amendment to an existing contract with Schneider Electric Smart Grid Solutions, LLC, for the continued license of web-based load profiling software, including maintenance and support, for an increase in the amount of \$3,947,000 and to extend the term by six years, for a revised total contract amount not to exceed \$6,002,814.

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

Strategic Outcome(s): Government That Works for All.

34. Authorize negotiation and execution of a multi-term contract with Catapult Systems, LLC, to provide technical and support services for Microsoft on-premise software and cloud services, for up to five years for a total contract amount not to exceed \$12,000,000.

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



established).

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

35. Authorize award of a multi-term contract with Priester-Mell & Nicholson, for air insulated switchgear, for up to five years for a total contract amount not to exceed \$3,500,000.

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

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

36. Authorize negotiation and execution of a contract with DLT Solutions, LLC., to provide computer-aided drafting software and data management tools including maintenance and support, for a term of five years in an amount not to exceed \$1,700,000.

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

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

37. Authorize award of a multi-term contract with 360 Network Solutions, LLC d/b/a 360 Network Solutions, to provide an electronic lock access control system, for up to five years for a total contract amount not to exceed \$3,833,625.

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

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

38. Authorize negotiation and execution of a contract with Starside Security & Investigation, Inc., to provide unarmed security guard services to Municipal Court and the Downtown Austin Community Court, for a term of one year for a total contract amount not to exceed \$1,200,000.

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

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

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

39. 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.

40. Approve a resolution directing the City Manager to participate in the Capital Metro Equitable Transit Oriented Development Study and community engagement efforts; to develop an Equitable Transit Oriented Development Policy Plan to achieve specified goals, including, but not limited to identifying methods to address community displacement, exploring opportunities to fund affordable housing, creating diverse housing options near transit, and encouraging multimodal transportation; and identify potential funding for the policy plan development.

**Sponsors:**

Mayor Pro Tem Natasha Harper-Madison, Council Member Gregorio Casar, Mayor Steve Adler, Council Member Vanessa Fuentes, and Council Member Paige Ellis

## **Non-Consent**

### **Eminent Domain**

41. Approve a resolution authorizing the filing of eminent domain proceedings for the City of Austin Waterline Relocation (Texas Department of Transportation Oak Hill Parkway (US 290-71)) for the public use of accommodating roadway improvements, to adjust water infrastructures in conflict, the acquisition of one Water and Wastewater Easement being approximately 0.104 acre (4,508 square feet) easement located in the Jesse Williams Survey No.62, Abstract 788, Travis County, Texas, being a portion of a called 2.281 acre tract of land, described in a deed to Spott Pest Prevention, Inc., recorded December 1, 2017 in Document No. 2017190626, Official Public Records of Travis County, Texas and filed under the assumed name Barefoot Mosquito Control, Inc., recorded November 4, 2014 in Document No. 2014165726, in the amount of \$21,977. The owner of the needed property is Barefoot Mosquito and Pest Control, Inc. The property is located within District 8, at 8060 West U.S. Highway 290, Austin, Travis County, Texas, 78736. The general route of the project is SH 71 at Silvermine to US 290 at Circle Drive, beginning at William Cannon Drive, in Austin Texas.

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

**District(s):** District 8

42. Approve a resolution authorizing the filing of eminent domain proceedings for the City of Austin Waterline Relocation (Texas Department of Transportation Oak Hill Parkway (US 290-71)) for the public use of accommodating roadway improvements, to adjust water infrastructures in conflict, the acquisition of one Water and Wastewater Easement being approximately an 0.004 acre (161 sq. ft.) easement located in the Jesse Williams Survey No. 62, Abstract 788, Travis County, Texas, being a portion of Lot 2, Amended Plat of Lots 2, 3, 4, and 5 Oak Hill "Y" Section One, according to the map or plat thereof, recorded in Document No. 200800260, Official Public Records of Travis County, Texas, described in a deed to Prosperity Bank, recorded March 18, 2010 in Document No. 2010037345, in the amount of \$564. The owner of the needed property is Prosperity Bank. The property is located within District 8, at 6820 Wolfcreek Pass C, Austin, Texas 78749. The general route of the project is SH 71 at Silvermine to US 290 at Circle Drive, beginning at William Cannon Drive, in Travis County, Texas.

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

**District(s):** District 8

43. Approve a resolution authorizing the filing of eminent domain proceedings for the City of Austin Waterline Relocation (Texas Department of Transportation Oak Hill Parkway (US 290-71)) for the public use of accommodating roadway improvements, to adjust water infrastructures in conflict,

and the acquisition of one Water Line Easement being approximately an 0.644 acre (28,054 square feet) easement located in the Peter Matson Survey No. 619, Abstract 538, Travis County, Texas, being a portion of a called 30.98 acre tract of land, described in a deed to Schmidt Investments, Ltd., recorded in June 2, 1997 in Volume 12946, Page 1939, real property records of Travis County, Texas, and a portion of a called 9.803 acre tract of land, described in a deed to Schmidt Investments, Ltd., recorded June 2, 1997, in Volume 12946, Page 1836 in the Real Property Records of Travis County, Texas, in the amount of \$70,135. The owner of the needed property is Schmidt Investments, Ltd., a Texas limited partnership. The property is located within District 8, at 0 Circle Drive and 0 US Highway 290 West, EB aka 8360 US Hwy 290, Austin, Texas 78736. The general location of the project is SH 71 at Silvermine to US 290 at Circle Drive, beginning at William Cannon Drive, in Travis County, Texas.

**Strategic Outcome(s):** Government that works for all.

**District(s):** District 8

44. Approve a resolution authorizing the filing of eminent domain proceedings for the City of Austin Waterline Relocation (Texas Department of Transportation Oak Hill Parkway (US 290-71)) for the public use of accommodating roadway improvements, to adjust water infrastructures in conflict, the acquisition of one Water and Wastewater Easement in two parts, the first part being an approximately 0.042 acre (1,825 square feet) easement and the second part being a 0.004 acre (185 square feet) easement located in the Jesse Williams Survey No. 62, Abstract 788, Travis County, Texas, being portions of Lot 1, Amended Plat of Lots 2, 3, 4 and 5, Oak Hill “Y” Section One, according to the map or plat thereof recorded in Document No. 200800260, Official Public Records of Travis County, Texas, described in a deed to 290 at 71 LLC, recorded June 28, 2016 in Document No. 2016101988, in the amount of \$854. The owner of the needed property is 290 at 71 LLC. The property is located within District 8, at 7007 W US 290 HWY EB aka 6800 Wolf Creek Pass, Austin, Texas 78749. The general location of the project is SH 71 at Silvermine to US 290 at Circle Drive, beginning at William Cannon Drive, in Travis County, Texas.

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

**District(s):** District 8

45. Approve a resolution authorizing the filing of eminent domain proceedings for the City of Austin Waterline Relocation (Texas Department of Transportation Oak Hill Parkway (US 290-71)) for the public use of accommodating roadway improvements, to adjust water infrastructures in conflict, the acquisition of one Water Line Easement being approximately 0.100 acre (4,372 square feet) easement located in the Jesse Williams Survey No. 62, Abstract 788, Travis County, Texas, being a portion of a Lot 1, Block 5, Oak Hill Heights, Section 5, a subdivision of record in Volume 82, Pages 265-266, Plat Records of Travis County, Texas, described in a deed to 7401 HWY 290W LLC, recorded July 22, 2013 in Document No. 2013135197, Official Public Records of Travis County, Texas, in the amount of \$27,202. The owner of the needed property is 7401 HWY 290W, LLC. The property is located within District 8, at 7401 West U.S. Highway 290, Austin, Texas 78749. The general location of the project is SH 71 at Silvermine to US 290 at Circle Drive, beginning at William Cannon Drive, in Travis County, Texas.

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

**District(s):** District 8

46. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <http://austintexas.gov/department/city-council/2021/20210603-ahfc.htm>).

### **Public Hearings and Possible Actions**

47. Conduct a public hearing related to an application by Cypress Creek Stoney Ridge LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Cypress Creek Apartment Homes at Stoney Ridge, located at or near north of the intersection at Elroy Road and Ross Road, Austin, Texas 78617, within the City, and consider a resolution related to the proposed development, application, and allocation of housing tax credits and private activity bonds.

District(s): District 2

48. Conduct a public hearing related to an application by LDG Fox Hollow, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Fox Hollow, located at or near 2117 Brandt Road, Austin, Texas 78744, within the City; and consider a resolution related to the proposed development, application, and allocation of housing tax credits and private activity bonds.

District(s): District 5

49. Conduct a public hearing related to an application by Pedcor Investments-2021-CLXXXIII, L.P., or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Interport Apartments, located at or near northwest quadrant of Highway 71 and TX-130, within the City, and consider a resolution related to the proposed development, application, and allocation of housing tax credits and private activity bonds.

District(s): District 2

50. Conduct a public hearing related to an application by McKinney Falls Apartments, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Parkside Apartments, located at or near 5200 McKinney Falls Parkway, Austin, Texas 78744, within the City's extraterritorial jurisdiction; and consider a resolution related to the proposed development, application, and allocation of housing tax credits and private activity bonds.

51. Conduct a public hearing related to an application by LDG The Henderson on Reinli, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as The Henderson at Reinli, located at or near 1101 Reinli Street, Austin, Texas 78723, within the City; and consider a resolution related to the proposed development, the application, and the allocation of housing tax credits and private activity bonds.

District(s): District 4

52. Conduct a public hearing related to an application by LDG The Matador, LP, or an affiliated entity,

for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as The Matador, located at or near 5900 South Congress Avenue, Austin, Texas 78745, within the City; and consider a resolution related to the proposed development, application, and allocation of housing tax credits and private activity bonds.

**District(s):** District 2

53. Conduct a public hearing related to an application by LDG The Ridge at East Village, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as The Ridge at East Village, located at or near 4801 E. Yager Lane, Austin, Texas 78653, within the City's extraterritorial jurisdiction; and consider a resolution related to the proposed development, application, and allocation of housing tax credits and private activity bonds.
  54. Conduct a public hearing and consider an ordinance repealing and replacing Article 11 of City Code Chapter 25-12 (Technical Codes) to adopt the 2021 International Residential Code and local amendments; and creating offenses.
  55. Conduct a public hearing and consider an ordinance repealing and replacing Article 12 of City Code Chapter 25-12 (Technical Codes) to adopt the 2021 International Energy Conservation Code and local amendments; and creating offenses.
  56. Conduct a public hearing and consider an ordinance repealing and replacing Article 7 of City Code Chapter 25-12 (Technical Code) to adopt the 2021 International Fire Code and local amendments; and creating offenses.
- Strategic Outcome(s):** Safety
57. Conduct a public hearing and consider an ordinance repealing and replacing Article 6 of City Code Chapter 25-12 (Technical Codes) to adopt the 2021 Uniform Plumbing Code and local amendments; and creating offenses.
  58. Conduct a public hearing and consider an ordinance repealing and replacing Article 5 of City Code Chapter 25-12 (Technical Codes) to adopt the 2021 Uniform Mechanical Code and local amendment; and creating offenses.
  59. Conduct a public hearing and consider an ordinance repealing and replacing Article 1 of City Code Chapter 25-12 (Technical Codes) to adopt the 2021 International Building Code and local amendments; repealing and replacing Article 10 of City Code Chapter 25-12 (Technical Codes) to adopt the 2021 International Existing Building Code and local amendments; repealing and replacing Article 13 of City Code Chapter 25-12 (Technical Codes) relating to administering technical codes; amending Chapter 25-12 (Technical Codes) to create a new article specifically for flood loads and hazard areas; amending City Code Chapter 25-7 (Drainage) to update references for flood loads and hazard area regulations; waiving City Code Section 25-1-501 (Initiation of Amendment) and Section 25-1-502 (Amendment Review); and creating offenses.
  60. Conduct a public hearing and consider an ordinance repealing and replacing Article 9 of City Code Chapter 25-12 (Technical Codes) to adopt the 2021 International Property Maintenance Code and local amendments; creating offenses; and imposing penalties.

## **Executive Session**

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

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

62. C14-2020-0145 2700, 2716, 2726 E. 5th Street Rezoning -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2700, 2716, and 2726 East 5th Street (Lady Bird Lake Watershed). Applicant's Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation and 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. Owners/Applicants: 2700 East 5th JV LLC and Burnup Sims of Texas. Agent: Drenner Group PC (Amanda Swor) City Staff: Heather Chaffin, 512-974-2122.

**District(s):** District 3

63. C14-2021-0036 - HWY 290 & 1826 Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning a property locally known as 7912 W. US HWY 290 (Williamson Creek Watershed-Barton Springs Zone). Applicant request: To rezone from rural residence (RR) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning. Planning Commission Recommendation: To be heard on June 8, 2021. Owner: Speedy Stop Food Stores LLC (Joshua Teinert). Agent: Drenner Group PC (Amanda Swor). City Staff: Kate Clark, 512-974-1237. This action concerns land located in the Barton Springs Zone.

**District(s):** District 8

64. C14-2021-0031 - Johnny Morris Rezone 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7010 Johnny Morris Road (Walnut Creek Watershed). Applicant Request: To rezone from single family residence-standard lot (SF-2) district to community commercial-mixed use (GR-MU) district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: Arabon Real Estate, LLC (Chris Coggin). Agent: Thrower Design LLC (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

**District(s):** District 1

65. C14-2021-0038 - Pond Springs Rezone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning a property locally known as 13171 Pond Springs Road (Lake Creek Watershed). Applicant Request: To zone from interim-rural residence (I-RR) district to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting

Commission Recommendation: To grant general office (GO) district zoning. Owner/Applicant: Lorraine Rae Bier. Agent: Keepers Land Planning (Ricca Keepers). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 6

66. C14-2021-0043 - Plains Trail Multifamily Rezone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11205 Plains Trail (Little Walnut Creek Watershed and Walnut Creek Watershed). Applicant Request: To rezone from neighborhood office (NO) district to multifamily residence-medium density (MF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence-medium density (MF-3) district zoning. Owner/Applicant: Purple Estate Austin LLC (Bedi Guneet). Agent: Thrower Design LLC (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 4

67. C14-2021-0050 - Southpark Meadows Plaza - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9505 Alice Mae Lane (Onion Creek Watershed; Slaughter Creek Watershed). Applicant's Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner: Southpark Meadows Plaza, LP (Mitchell Kalogridis). Agent: Cunningham-Allen, Inc. (Richard G. Couch). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

68. C14-2021-0056 - 1609 Matthews Lane Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1609 Matthews Lane (Williamson Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to multifamily residence-medium density (MF-3) district zoning. Staff Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on June 1, 2021. Owner: CMCBH2, LLC (Ben Heimsath). Agent: Thrower Design (Victoria Haase). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

69. C14-2020-0089 Twelfth and Springdale Residences - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1200, 1202, and 1208 Springdale Road (Tannehill Branch Watershed). Applicant's Request: To rezone from community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning to community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning. Planning Commission Recommendation: To be reviewed May 25, 2021. Owner/Applicant: JJ&B Investments, LLC (Brent Ellinger, Janet Ellinger, and Joseph Malone). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

**District(s):** District 1

- 70.** C814-2020-0104 Springdale Green PUD - District 3 - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1011 and 1017 Springdale Road (Boggy Creek and Tannehill Branch Watersheds). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First reading approved planned unit development-neighborhood plan (PUD-NP) combining district zoning on April 22, 2021. Vote: 7-0; Council members Alter, Fuentes, and Kitchen- Abstained; Council member Kelly- Off the dais. Owner/Applicant: AUS Springdale LLC (Phillip A. Verinsky). Agent: Armbrust and Brown, PLLC (Michael Whellan). City Staff: Heather Chaffin, 512-974-2122.

**District(s):** District 1



## Consent Agenda

### Item(s) from Council

71. Approve an ordinance setting the tax exemption for the percentage-based property tax (ad valorem) residence homestead exemption at the current level of 10% of the assessed value or a different value that Council may establish up to a maximum of 20% in accordance with state law.
- Sponsors: Mayor Steve Adler, Council Member Alison Alter, Council Member Ann Kitchen, Council Member Paige Ellis, and Council Member Sabino "Pio" Renteria
72. Approve an ordinance setting the tax exemption for residence homesteads of individuals 65 years of age or older and persons with disabilities at the current value of \$88,000 or a different value that Council may establish in an amount not to exceed \$113,000.
- Sponsors: Mayor Steve Adler, Council Member Alison Alter, Council Member Ann Kitchen, Council Member Sabino "Pio" Renteria, and Council Member Paige Ellis
73. Approve a resolution affirming support for a guaranteed income, amending the City's federal legislative agenda, and directing the City Manager to study and report to Council on direct financial assistance programs for possible local initiatives.
- Sponsors: Mayor Steve Adler, Mayor Pro Tem Natasha Harper-Madison, Council Member Vanessa Fuentes, Council Member Alison Alter, and Council Member Gregorio Casar
74. Approve a resolution amending Resolution No. 20071129-045 related to the City of Austin Green Building Policy.
- Sponsors: Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Ann Kitchen, and Council Member Alison Alter
75. Approve a resolution directing the Austin Bergstrom Landhost Enterprises, Inc. (ABLE) Board of Directors to follow the approval policy described in Resolution No. 20191017-024 regarding all ABLE hotel management agreements and establishing related Council policy for such agreements.
- Sponsors: Council Member Gregorio Casar, Council Member Ann Kitchen, Council Member Vanessa Fuentes, and Mayor Steve Adler

## Non-Consent

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

76. Approve an ordinance amending City Code Section 2-5-103 (Council Committees Created; Subject Matter of Each Committee) to change the Health and Human Services Committee name to the Public Health Committee.
- Sponsors: Health and Human Services Committee

## Executive Session

77. Discuss legal issues related to property tax exemptions. (Private consultation with legal counsel -Section 551.071 of the Government Code).

78. Discuss Austin Energy generation resource issues (Certain Public Power Utilities: Competitive Matters - Section 551.086 of the Government Code).
80. Discuss legal and real estate matters related to the transfer of land within the Mueller project to Austin Independent School District (Private consultation with legal counsel -Section 557.071 of the Government Code and Real property - Section 551.072 of the Government Code).
81. Discuss legal and real estate matters related to the purchase, exchange, lease, or value of an interest in real property and improvements related to the motel conversion strategy to provide services, shelter, and/or housing (Private consultation with legal counsel -Section 551.071 of the Government Code and Real property -Section 551.072 of the Government Code).
82. Discuss legal issues related to HB 1900, relating to municipalities that adopt budgets that defund municipal police departments. (Private consultation with legal counsel -Section 551.071 of the Government Code).

#### **Public Hearings and Possible Actions**

83. Conduct a public hearing and approve an ordinance for the full-purpose annexation of approximately 14.0 acres located in Travis County near 5200 McKinney Falls Road; and ratify an agreement with the owner of the land for the provision of services. The property is currently subject to an annexation and development agreement and is adjacent to Austin Council District 2.

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