



Thursday, October 21, 2021

The City Council will convene at 10:00 AM on Thursday, October 21, 2021 at Austin City Hall, 301 W. Second Street, Austin, TX and some members of City Council may be participating by videoconference
<http://www.austintexas.gov/page/watch-atxn-live>



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

**Public comment will be allowed in-person or remotely by telephone. Speakers may only register to speak on an item once either in-person or remotely. For full instructions on participation in person or by telephone, please visit the Council Meeting Information Center:
http://austintexas.gov/department/city-council/council/council_meeting_info_center.htm**

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.

10:00 AM – City Council Convenes

Consent Agenda

Approval of Minutes

Austin Water

1. Authorize negotiation and execution of an interlocal agreement with Northern Arizona University for research, training and education relating to the Balcones Canyonlands Preserve, in an amount not to exceed \$295,000.

Strategic Outcome(s): Health and Environment.

Financial Services- Contracts

2. Authorize negotiation and execution of a fifth amendment to the lease agreement with Lake Austin Marina I, LP, a Texas limited partnership, extending the term for 60 months, with one extension option for an additional 60 months, for approximately 964 square feet of office space and three boat slips, located at 2215 Westlake Dr., in an amount not to exceed \$291,177.26.

Strategic Outcome(s): Safety.

District(s): District 10

3. Authorize the negotiation and execution of all documents and instruments necessary for the sale of approximately 18.48 acres in fee simple, being a 10.821 acre tract, more or less, out of the Santiago Del Valle Grant in Travis County Texas, and being the same property conveyed in a deed recorded in Document Number 2007086157, of the Official Public Records of Travis County, Texas, and being a 7.668 acre tract, more or less, being Lot B-2, of Marshall Hills Section One - Lot B-2, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 90, Page 244, of the Plat Records of Travis County, Texas, generally located at 2201 Grove Boulevard, Austin, Texas from the City of Austin for a total amount not to exceed \$3,600,000.

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

District(s): District 3

4. Authorize negotiation and execution of an amendment to the professional services agreement with URS Corporation, for engineering services for the Barton Springs Road Bridge over Barton Creek project in the amount of \$1,813,618, for a total contract amount not to exceed \$2,805,548.55.

(Districts 5 and 8)

[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 10.35% MBE and 12.23% WBE.]

Strategic Outcome(s): Safety, Mobility.

District(s): District 5; District 8

5. Authorize award and execution of a construction contract with Facilities Rehabilitation, Inc. (MBE), for the Boggy Creek-Martin Luther King, Jr. Boulevard TOD Stormwater Conveyance Improvements Phase 2 project in the amount of \$8,361,300 plus a \$836,130 contingency for a total contract amount not to exceed, \$9,197,430.

[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 98.54% MBE and 1.46% WBE participation.]

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

District(s): District 1

6. Authorize award and execution of a construction contract with PGC General Contractors, LLC, for the Handcox Water Treatment Plant Process Building HVAC Improvements Project Rebid in the amount of \$902,765 plus a \$90,276.50 contingency, for a total contract amount not to exceed \$993,041.50.

[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 0.94% MBE and 0.55% WBE participation.]

Strategic Outcome(s): Safety.

District(s): District 6

7. Authorize negotiation and execution of a professional services agreement with LJA Engineering, Inc., (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP318, to provide engineering services for the 2020 Bond Substandard Streets Ross Road North project in an amount not to exceed \$2,500,000.

[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 19.00% MBE and 17.00% WBE participation.]

Strategic Outcome(s): Safety, Mobility.

District(s): District 2

8. Authorize award and execution of a construction contract with MAC, Inc., for the Violet Crown Trail - North Phase 2A project in the amount of \$1,366,693 plus a \$136,669.30 contingency, for a total contract amount not to exceed \$1,503,362.30.

[Note: This contract will be awarded in compliance with the requirements of 49 CFR Part 26

(Disadvantaged Business Enterprise Program) and City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Program) by meeting the goals with 22.23% DBE participation.]

Strategic Outcome(s): Mobility.

9. Authorize negotiation and execution of a Job Order Assignment with Alpha Building Corporation for the Barbara Jordan Terminal Vertical Circulation project for a total amount not to exceed \$3,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). MBE/WBE participation goals will be established prior to the issuance of this job order assignment.]

Strategic Outcome(s): Mobility.

District(s): District 2

10. Authorize negotiation and execution of a contract with Merrick Industries, Inc. to provide liquid carbon feeders, in an amount not to exceed \$80,945.

(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, Safety.

11. Authorize award of three multi-term contracts with Ferguson Waterworks, Core and Main, LP, and ACT Pipe and Supply, Inc. to provide fire hydrant parts, each for up to five years for a total contract amount not to exceed \$2,640,590, 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 required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Health and Environment.

12. Ratify an amendment to an existing contract with Good Work Austin to provide food services, to increase the amount by \$120,000 and extend the term by 90 days for a revised total contract amount not to exceed \$648,000.

(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): Health and Environment.

13. Authorize negotiation and execution of a multi-term cooperative contract with Envisage Technologies, LLC to provide a learning management system, for up to five years for a total contract amount not to exceed \$912,000.

(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.

Housing and Planning

14. Authorize negotiation and execution of an amendment to the Fiscal Year 2021-2022 Service Agreement with the Austin Housing Finance Corporation to increase funding for the Austin Transit Partnership Grant Fund in the amount of \$23,000,000, for a total contract amount not to exceed \$130,989,134.

Strategic Outcome(s): Economic Opportunity and Affordability.

15. Approve a resolution appointing Reed Baker to the Board of Directors of the Southeast Travis County Municipal Utility District #2 (“MUD”), as provided for in the MUD’s consent agreement with the City.

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

District(s): District 2

Human Resources

16. Approve a resolution confirming the reappointment of Eyna Canales-Zarate to the City of Austin’s Firefighters’, Police Officers’ and Emergency Medical Services Personnel’s Civil Service Commission.

Strategic Outcome(s): Government that Works For All.

Law

17. Authorize negotiation and execution of an amendment to the legal services agreement with Butler Snow, LLP for representation related to Antonio Buehler v. Dear et al, Cause No. 20-50822 in the United States Fifth Circuit Court of Appeals, in an amount of \$16,000 for a total contract amount not to exceed \$76,000.

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

Management Services

18. Approve an ordinance setting the Council meeting schedule for calendar year 2022 and setting the budget and tax rate hearings for Fiscal Year 2022-2023.

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

Parks and Recreation

19. Authorize negotiation and execution of a park operations and maintenance agreement with The Trail Foundation for the Ann and Roy Butler Hike-and-Bike Trail at Town Lake Metropolitan Park.

Strategic Outcome(s): Health and Environment, Culture and Lifelong Learning, Government that Works for All.

District(s): District 3; District 5; District 8; District 9; District 10

20. Consider an ordinance amending Exhibit A to Ordinance No. 20210811-002 (City of Austin Fee and Fine Schedule) to reinstate the Fiscal Year 2020-2021 Parkland Dedication fees; authorizing the City Manager to conduct a benchmark study of the parkland dedication fees charged by peer

Texas cities, a review of other cities' processes related to parkland dedication fees, and an affordability impact study of the City's parkland dedication fees; further authorizing the City Manager to provide opportunities for internal and external stakeholder engagement and feedback; and further authorizing the City Manager to provide a report to Council regarding the results of the studies and the engagement process and recommendations regarding the Parkland Dedication fees and ordinance for Council consideration by the end of April 2022.

Strategic Outcome(s): Economic Opportunity and Affordability, Health and Environment, Culture and Lifelong Learning, Government that Works for All.

Public Health

21. Authorize negotiation and execution of an agreement with Collaborative Research to monitor Austin Public Health's HIV Resources Administration Unit's grant subcontracts, for a 12-month term in an amount not to exceed \$97,680.

Strategic Outcome(s): Health and Environment.

22. Approve an ordinance amending the Fiscal Year 2021-2022 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to accept and appropriate \$3,604,098 in additional grant funds from the Texas Department of State Health Services and to add 2.0 full-time equivalent grant funded positions, for the COVID-19 Vaccination Capacity Grant.

Strategic Outcome(s): Health and Environment.

23. Authorize negotiation and execution of agreements to hire one community health worker to engage in COVID-19 response and chronic disease prevention activities, for the term of October 22, 2021 to August 30, 2022 with two 12-month extension options, with the following providers: University of Texas at Austin, Dell Medical School in an amount not to exceed \$100,000 for the initial term and each extension option, for a total agreement amount not to exceed \$300,000; Housing Authority of the City of Austin in an amount not to exceed \$80,000 for the initial term and each extension option, for a total agreement amount not to exceed \$240,000; Central Texas Community Health Centers d/b/a CommUnityCare in an amount not to exceed \$80,000 for the initial term and each extension option, for a total agreement amount not to exceed \$240,000; Foundation Communities in an amount not to exceed \$80,000 for the initial term and each extension option, for a total agreement amount not to exceed \$240,000; and People's Community Clinic in an amount not to exceed \$80,000 for the initial term and each extension option, for a total agreement amount not to exceed \$240,000.

Strategic Outcome(s): Health and Environment.

Public Works

24. Authorize negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for the relocation and adjustments of existing water and wastewater lines and appurtenances in conflict with the I-35 Capital Express North Roadway Project in the amount of \$8,160,611.06 plus a contingency of \$816,061.11 for a total amount not to exceed \$8,976,672.17.

Strategic Outcome(s): Health and Environment, Mobility.

District(s): District 1; District 4; District 7

25. Authorize negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for the relocation and adjustments of existing water and wastewater lines and appurtenances in conflict with the I-35 Capital Express South Roadway Project in the amount of \$2,772,461.74 plus a contingency of \$277,246.17 for a total amount not to exceed \$3,049,707.91.

Strategic Outcome(s): Health and Environment, Mobility.

District(s): District 2; District 3; District 9

Item(s) from Council

26. 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.

27. Approve a resolution directing the City Manager to review and amend the Neighborhood Block Party Program, initiate the creation of Play Streets and Resident-Led Healthy Streets Programs, create a one-stop "Living Streets" webpage, and return to Council for any necessary Council actions or policy guidance.

Sponsors: Council Member Paige Ellis, Mayor Pro Tem Natasha Harper-Madison, Council Member Gregorio Casar, and Council Member Leslie Pool

28. Approve a resolution condemning non-consensual and medically unnecessary surgeries on intersex children and directing the City Manager to explore methods to implement a public education campaign to provide accurate information regarding intersex healthcare.

Sponsors: Mayor Pro Tem Natasha Harper-Madison, Mayor Steve Adler, Council Member Sabino "Pio" Renteria, Council Member Gregorio Casar, and Council Member Paige Ellis

Non-Consent

Item(s) Referred from Council Committee(s)

29. Approve amendments to the bylaws of the Animal Advisory Commission.

Sponsors: Audit and Finance Committee

10:30 AM - Austin Housing and Finance Corporation Meeting

30. 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/departments/city-council/2021/20211021-ahfc.htm>).

12:00 PM - Citizen Communications: General

Heather McCormick- Prop B enforcement

Ruben Rivera-Clemente- STILL POLICE BRUTALITY

Angela Benevides Garza- Changes in Austin and how women can do it better.

Rafael Sanchez- I would like to bring up the issue of the lack of even-leveled wide sidewalks within West Campus and the Guadalupe St. area as well as the need for more ample shade through trees to reduce the urban heat island effect that has become more and more pressing in my years as an undergraduate student at UT Austin. Thank you

Sally Howard- National Teen Driver Safety Week

Executive Session

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

2:00 PM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

32. C14-2021-0126 - 7911 and 8001 N FM 620 Rd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7911 and 8001 North FM 620 Road (Bull Creek Watershed). Applicant Request: To rezone from warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning, neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning and general commercial services-conditional overlay (CS-CO) combining district zoning to multifamily residence-low density (MF-2) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Owner/Applicant: Joseph F. Lucas and Margaret Lucas. Agent: Smith Robertson LLP (David Hartman). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 6

33. C14-2021-0081 - 5th and Walsh Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning properties locally known as 1200, 1202, 1204, 1210, 1214, 1214 ½ W. 5th Street; 504, 506 Walsh Street (Lady Bird Lake Watershed). Applicant's Request: To rezone from general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on October 12, 2021. Owner: Anchor Equities, LTD (Jimmy Nassour); 1210 W. 5th, LTD (David Roberts); Walsh Street Properties, LTD. (F. Walter Penn). Agent: Armbrust & Brown, PLLC, (Richard T. Suttle, Jr., Amanda Morrow). Staff: Wendy Rhoades, 512-974-7719.

District(s): District 9

34. C14-2021-0118 - 11586 Jollyville Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11586 Jollyville Road (Bull Creek Watershed). Applicant Request: To rezone from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use-conditional overlay (GO-MU-CO)

combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Owner/Applicant: Fuqua Stover Ltd. (David Foor). Agent: Kimley-Horn & Associates, Inc. (Amanda C. Brown). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

35. C14-2021-0040 - Crozier Lane Zoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 1501 Crozier Lane (Carson Creek Watershed; Colorado River Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Owner/Applicant: Old Man City, LLC (Lauren Carson). Agent: Kimley-Horn and Associates, Inc. (Amanda Brown). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

36. NPA-2021-0026.01, Grady & Brownie Mixed Use-Conduct a public hearing and approve an ordinance amending Ordinance No. 20100624-110 the North Lamar 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 10609, 10611, 10613, 10615 Brownie Drive and 10610, 10612, 10614 Middle Fiskville Road (Walnut Creek & Little Walnut Creek Watersheds) from Single Family and Neighborhood Commercial land use to Mixed Use land use. Staff and Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: Grady & Brownie Investments, LLC. Agent: Thrower Design (Ron Thrower & Victoria Haase). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 4

37. C14-2021-0039 - Grady & Brownie Mixed Use - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 10609, 10611, 10613, 10615 Brownie Drive and 10610, 10612, 10614 Middle Fiskville Road (Little Walnut Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning for Tract 1 and neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 2. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence-low density district-neighborhood plan (MF-2-NP) combining district zoning for Tract 1 and neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning for Tract 2. Owner/Applicant: Grady & Brownie Investments LLC (Saleem Memon). Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 4

38. C14-2020-0143 12121 N IH 35 Rezoning- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12121 North IH 35 Service Road Northbound (Walnut Creek Watershed). Applicant's Request: To rezone from community

commercial-conditional overlay (GR-CO) combining district zoning to multifamily residence-moderate high density (MF-4) district zoning. Staff and Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate high density (MF-4) district zoning. Owner/Applicant: Dupius Investments, Ltd. (Daniel McCormack) Agent: Coats Rose (John M. Joseph). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.

District(s): District 1

- 39.** C14-2021-0059 - 2100 Polaris Avenue - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2100 Polaris Avenue (Little Walnut Creek Watershed). Applicant 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-neighborhood plan (CS-MU-NP) combining district zoning. First reading approved general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning on July 29, 2021. Vote 11-0. Owner/Applicant: C & K Polaris Property LLC % Ticket City Inc. Agent: Drenner Group, PC (Leah M. Bojo). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

- 40.** C14-2021-0009 - 1725 Toomey - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1725 Toomey Road (Lady Bird Lake Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to multifamily residence highest density (MF-6) district zoning. Staff Recommendation: To grant multifamily residence highest density (MF-6) district zoning. Planning Commission Recommendation: To be reviewed October 12, 2021. Owner/Applicant: 1725 Toomey LLC. Agent: Drenner Group PC (Amanda Swor). City Staff: Kate Clark, 512-974-1237.

District(s): District 5

- 41.** C14H-2021-0057 - Kohn House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5312 Shoal Creek Boulevard. Applicant's Request: To rezone from single family residence standard lot (SF-2) district zoning to single family residence standard lot - historic landmark (SF-2-H) combining district zoning. Staff Recommendation, Historic Landmark Commission Recommendation, and Planning Commission Recommendation: To grant single family residence standard lot - historic landmark (SF-2-H) combining district zoning. Applicant: Bon Ton Revocable Trust (owner). City Staff: Elizabeth Brummett, Housing & Planning Department, 512-974-1264.

District(s): District 7

Adjourn

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For assistance, please call 512-974-2210 or TTY users route through 711.

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.