



# City of Austin

301 W. Second Street  
Austin, TX and some  
members of City  
Council may be  
participating by  
videoconference

## Agenda

### City Council Work Session

*Mayor Steve Adler*  
*Mayor Pro Tem Alison Alter, District 10*  
*Natasha Harper-Madison, District 1*  
*Council Member Vanessa Fuentes, District 2*  
*Council Member Sabino "Pio" Renteria, District 3*  
*Council Member José "Chito" Vela, 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*

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Tuesday, February 15, 2022

9:00 AM

Austin City Hall

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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.** Inclusive Procurement Working Group Presentation
- B2.** Update to Austin City Council Prior to Commencing Austin Police Department Academy 145th Cadet Class.

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

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

- E1.** Discuss legal issues involved with lawsuits and claims related to Austin Police Department during the protests that occurred on May 30 and 31, 2020 and the City's Liability Reserve. (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 joint special called meeting of January 25, 2022, work session of February 1, 2022, regular meeting of February 3, 2022, special called meeting of February 3, 2022, and joint special called meeting of February 8, 2022.

### Austin Energy

2. Approve issuance of a capacity-based incentive to the Mothers' Milk Bank at Austin for the installation of solar electric systems on their facility located at 5925 Dillard Circle, Unit A, Austin, TX 78752, in an amount not to exceed \$268,960.

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

District(s): District 4

3. Approve issuance of a capacity-based incentive to the Michael & Susan Dell Foundation for the installation of solar electric systems on their facility located at 4417 Westlake Drive, Building B, Austin, TX 78746, in an amount not to exceed \$141,750.

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

District(s): District 10

4. Approve issuance of a capacity-based incentive to Saint Edwards University for the installation of solar electric systems on their facility located at 3001 S Congress Ave OPS, Austin TX 78704, in an amount not to exceed \$80,190.

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

District(s): District 3

5. Approve issuance of a capacity-based incentive to Westminster Manor, Inc. for the installation of solar electric systems on their facility located at 4232 Bull Creek Road, in an amount not to exceed \$252,780.

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

District(s): District 10

6. Approve issuance of a capacity-based incentive to the YMCA of Austin for the installation of solar electric systems on their facility located at 5807 McNeil Drive, Austin, TX 78727, in an amount not to exceed \$273,240.

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

District(s): District 6

7. Approve issuance of a capacity-based incentive to Westminster Manor, Inc. for the installation of solar electric systems on their facility located at 4300 Bull Creek Road, Austin, TX 78731, in an amount not to exceed \$190,080.

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

District(s): District 10

8. Approve issuance of a capacity-based incentive to the YMCA of Austin for the installation of solar electric systems on their facility located at 5315 Ed Bluestein, Austin, TX 78724, in an amount not to exceed \$231,990.

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

District(s): District 1

### **Development Services**

9. Approve an ordinance creating City Code Chapter 4-21 (Private Parking Patio) relating to a private parking patio program, creating an offense, and establishing a penalty; amending City Code Chapter 14-4 (Sidewalk Cafes) relating to sidewalk cafes and sidewalk storefronts; and amending the Fiscal Year 2020-2021 Austin Transportation Department, Development Services Department, and Austin Fire Departments fee schedules (Ordinance No. 20210811-002) to amend the Sidewalk Café fee name, to add sidewalk storefront, and establish Private Parking Patio review and inspection fees.

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

### **Emergency Medical Services**

10. Authorize execution of an amendment to and one-year renewal of an existing agreement with the Community Care Collaborative for the Emergency Medical Services Department to provide ground emergency medical transport services to the Travis County Healthcare District's (d/b/a Central Health) eligible Medical Access Program beneficiaries in exchange for a fee paid to the City.

Strategic Outcome(s): Safety.

### **Financial Services**

11. Approve a resolution authorizing the defeasance of certain outstanding 2020 General Obligation Public Improvement and Refunding Bonds, including authorizing the execution of an escrow agreement, and related documents.

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

12. Approve an ordinance amending the Fiscal Year 2021-2022 Building Services Department Capital Budget (Ordinance No. 20210811-001) to increase appropriations by \$27,000,000 for the Municipal Building renovations. Related to Items #13, and #18.

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

13. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of Certificates of Obligations to be issued for expenditures in the total amount of \$27,000,000. Related to Items #12, and #18.

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

### **Financial Services- Contracts**

14. Authorize negotiation and execution of a multi-term contract with Howroyd-Wright Employment Agency Inc. d/b/a AppleOne Employment for temporary staffing services for the Austin Energy Customer Care team, for up to five years for a total contract amount not to exceed \$68,800,000.

(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.

15. Authorize award and execution of a construction contract with Austin Underground, Inc. (MBE), for the Jain Lane Street Realignment project in the amount of \$1,254,432 plus a \$125,443.20 contingency, for a total contract amount not to exceed \$1,379,875.20.

[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 95.19% MBE and 1.56% WBE participation.]

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

**District(s):** District 3

16. Authorize negotiation and execution of a Fourth Amendment to Ground Lease with The American National Red Cross to extend the term for 30 years, with one option to renew for 30 years, for the use of a City-owned tract of land and redevelopment of the existing facility located at 2218 Pershing Drive for the purpose of an emergency-disaster relief operation center.

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

**District(s):** District 1

17. Approve an ordinance authorizing negotiation and execution of the seventh amendment to the license agreement with Austin Pets Alive for use of the Town Lake Animal Center located at 1156 W. Cesar Chavez, Austin, Texas, to commence on February 23, 2022, and terminate February 23, 2023, authorizing waiver of the appraisal and annual license fees required under City Code Sections 14-11-42 and 14-11-43 and declaring an emergency.

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

**District(s):** District 9

18. Approve a resolution finding the use of the Design-Build method of contracting, as authorized by Subchapter G, Chapter 2269 of the Texas Government Code, as the project delivery method that provides the best value to the City for the Community Court 8th Street Municipal Building Renovation. Related to Items #12 and #13.

(Note: MBE/WBE goals will be established prior to issuance of this solicitation.)

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

19. Authorize negotiation and execution of a multi-term contract with Code 4 Emergency Services LLC to administer secondary employment and related services of off-duty Travis County Deputies for City of Austin special events, for up to five years in an amount not to exceed of \$2,500,000.

(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.

## **Fire**

20. Authorize negotiation and execution of an interlocal agreement with the Dallas-Fort Worth International Airport Board to provide training and training facilities to the Austin Fire Department in an amount not to exceed \$60,000.

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

## **Housing and Planning**

21. Authorize negotiation and execution of a 12-month contract with the Ending Community Homelessness Coalition to administer landlord incentives that will be used to encourage property owners, managers, and developers to set aside available units for families and individuals exiting homelessness in the City, in an amount not to exceed \$500,000.

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

## **Law**

22. Authorize negotiation and execution of an amendment to a legal services agreement with Richards Rodriguez and Skeith related to S.J. Louis Construction of Texas, LTD v. City of Austin, Cause No. D-1-18-001121 in the 459th District Court of Travis County, Texas in the amount of \$650,000 for a total contract not to exceed \$2,145,000.

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

23. Approve a settlement in Raymond Francois v. City of Austin, Cause No. D-1-GN-21-007323 in the 261st Judicial District for Travis County, Texas and settle the property damage claim brought by Capital Metro related to the same March 2020 car wreck.

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

## **Municipal Court**

24. Approve an ordinance amending City Code Chapter 2-10 (Municipal Court) to establish the City Marshal Office as a division of the Austin Municipal Court; repealing Sections 2-6-1 through 2-6-14 related to the former Public Safety and Emergency Management Department, renumbering remaining sections accordingly, and renaming Chapter 2-6 (Public Safety and Emergency Management Department).

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

## **Police**

25. Approve an ordinance creating temporary navigation control zones on Lake Austin during the PGA Tour World Golf Championships-Dell Technologies Match Play event and creating an offense.

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

## **Public Health**

26. Authorize negotiation and execution of Amendment No. 8 to the agreement with Austin Latino/a Lesbian & Gay Organization to provide funding for a community-based health prevention and education program, to add two 12-month extension options each in an amount not to exceed \$104,858, for a revised total agreement amount not to exceed \$831,448.  
Strategic Outcome(s): Safety, Health and Environment.
27. Authorize negotiation and execution of Amendment No. 8 to the agreement with Austin Revitalization Authority to provide funding for a community-based health prevention and education program, to add two 12-month extension options each in an amount not to exceed \$76,579, for a revised total agreement amount not to exceed \$607,216.  
Strategic Outcome(s): Safety, Health and Environment.
28. Authorize negotiation and execution of Amendment No. 8 to the agreement with the University of Texas at Austin to provide funding for community-based health prevention and education programs, to add two 12-month extension options each in an amount not to exceed \$117,643, for a revised total agreement amount not to exceed \$932,826.  
Strategic Outcome(s): Safety, Health and Environment.
29. Authorize negotiation and execution of Amendment No. 8 to the agreement with the University of Texas at Austin to provide funding for community-based health prevention and education programs, to add two 12-month extension options each in an amount not to exceed \$408,944, for a revised total agreement amount not to exceed \$3,242,634.  
Strategic Outcome(s): Safety, Health and Environment.
30. Authorize negotiation and execution of an interlocal agreement with Travis County for the City's provision of food shopping and delivery services to Women Infants and Children families in Travis County in an amount not to exceed \$180,755 to be paid to the City, for an initial 12-month term and one additional 12-month renewal option ending on December 31, 2023.  
Strategic Outcome(s): Health and Environment.
31. Authorize negotiation and execution of contracts with providers of HIV-related services under the Ryan White Part A HIV Emergency Relief and Minority AIDS Initiative Grant Programs, for an initial 12-month term beginning on March 1, 2022 with up to three additional 12-month renewal options, as follows: Central Texas Community Health Centers, Inc. in an amount not to exceed \$1,428,563 for the initial term and each renewal option, for a total contract amount not to exceed \$5,714,252; AIDS Services of Austin, Inc. in an amount not to exceed \$1,339,835 for the initial term and each renewal option, for a total contract amount not to exceed \$5,359,340; AIDS Healthcare Foundation in an amount not to exceed \$132,861 for the initial term and each renewal option, for a total contract amount not to exceed \$531,444; The Wright House Wellness Center in an amount not to exceed \$499,872 for the initial term and each renewal option, for a total contract amount not to exceed \$1,999,488; Texas Health Action in an amount not to exceed \$331,638 for the initial term and each renewal option, for a total contract amount not to exceed \$1,326,552; Austin Travis County Integral Care in an amount not to exceed \$333,604 for the initial term and each renewal option, for a total contract amount not to exceed \$1,334,416; Community Action, Inc. in an amount not to exceed \$55,000 for the initial term and each renewal option, for a total contract amount not to exceed \$220,000; Project Transitions, Inc. in an amount not to exceed \$150,063 for the initial term and each renewal option, for a total contract amount not to exceed

\$600,252; AIDS Service of Austin, Inc. in an amount not to exceed \$183,249 for the initial term and each renewal option, for a total contract amount not to exceed \$732,996; and The Wright House Wellness Center in an amount not to exceed \$143,640 for the initial term and each renewal option, for a total contract amount not to exceed \$574,560.

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

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

32. 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.

33. Approve a resolution relating to replacing the term “citizen communication” with the term “public communication” in council meetings, council committee meetings and in board and commission meetings and approve an ordinance that facilitates that change by amending City Code Sections 2-1-43 (Meeting Requirements) and 2-5-107 (Citizen Participation), waiving Subsection (A)(3) of City Code Section 2-1-8 (Council Audit and Finance Committee) and authorizing the City Clerk to make conforming changes to board and commission bylaws, agendas, and public meeting notices.

**Sponsors:** Council Member Kathie Tovo, Mayor Steve Adler, Council Member Natasha Harper-Madison, and Council Member Sabino "Pio" Renteria

34. Approve an ordinance amending Exhibit A to Ordinance No. 20210811-002 (City of Austin Fee and Fine Ordinance for Fiscal Year 2021-2022) to remove the fee for overdue library materials for adult library patrons.

**Sponsors:** Council Member Kathie Tovo, Council Member Vanessa Fuentes, Council Member Leslie Pool, and Council Member Sabino "Pio" Renteria

35. Approve an ordinance initiating the renaming of Confederate Avenue to Maggie Mayes under City Code Chapter 14-5 (Street Name Change) and waiving certain requirements.

**Sponsors:** Council Member Kathie Tovo, Council Member Natasha Harper-Madison, Council Member Ann Kitchen, Mayor Pro Tem Alison Alter, and Council Member Sabino "Pio" Renteria

36. Approve a resolution directing the City Manager to develop the ATX Public Safety Vacancy Staffing Plan, a comprehensive staffing plan for Austin/Travis County Emergency Medical Services, Austin Fire Department, and Austin Police Department.

**Sponsors:** Council Member Mackenzie Kelly, Mayor Pro Tem Alison Alter, Council Member Leslie Pool, and Council Member Paige Ellis

37. Approve a resolution initiating rezoning for the property generally known as the Crestview Station Development located at 905 Banyon Street to remove the condition prohibiting vehicular access to Morrow Street.

**Sponsors:** Council Member Leslie Pool, Mayor Pro Tem Alison Alter, Council Member Kathie Tovo, and Council Member Mackenzie Kelly

### **Item(s) to Set Public Hearing(s)**

38. Set a public hearing to be conducted in accordance with Texas Parks and Wildlife Code Chapter 26 to consider a resolution authorizing a change in use of dedicated parkland, known as Holly



Shores / Edward Rendon Sr. Metro Park at Festival Beach and Peace Point at Lady Bird Lake Metro Park, for Austin Energy to construct, install, use, maintain, and repair approximately 10,791 sq. ft. of permanent, subterranean electric duct bank, and an additional approximately 59,885 sq. ft. of temporary use area, in order to replace, an aging electric cable across Lady Bird Lake. (Suggested date and location: March 24, 2022, Austin City Hall, 301 W. Second Street, Austin, TX.).

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

**District(s):** District 3

39. Set a public hearing to consider an ordinance amending City Code Chapter 25-2, Subchapter E, Section 4.3 relating to vertical mixed use buildings. (Suggested date: March 3, 2022, at Austin City Hall, 301 W. Second St., Austin, TX).

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

## Non-Consent

### Public Hearings and Possible Actions

40. Conduct a public hearing to consider an ordinance adopting Local Standards of Care for the Parks and Recreation Department's Youth Programs.

**Strategic Outcome(s):** Health and Environment, Culture and Lifelong Learning.

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

41. C14-2021-0186 - Howard Lane Residences - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 1208 East Howard Lane (Harris Branch Watershed). Applicant Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence-moderate-high density (MF-4) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate-high density (MF-4) district zoning. Owner/Applicant: 1208 Howard Lane, LLC (Saeed Minhas). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057.

**District(s):** District 7

42. 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 Neighborhood Mixed Use land use. Planning Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: Shuler Family Trust of 1998 (John Schuler). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

**District(s):** District 9

43. 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 forwarded to Council without a recommendation due to lack of an affirmative vote. Owner: Schuler Family Trust of 1998 (John Schuler). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Kate Clark, 512-974-1237. A valid petition has been filed in opposition to this rezoning request.

District(s): District 9

44. NPA-2021-0016.03 - 3535 East 7th Street -- 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 3511, 3525 and 3535 East 7th Street (Boggy Creek Watershed) from Commercial to Mixed Use land use. Staff and Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: The Elena Herrera Family Bypass Trust. Agent: Drenner Group, PC (Amanda Swor). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 3

45. C14-2021-0124 - 3535 East 7th Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3501, 3509, 3511, 3525, 3535 East 7th Street and 621 Gunter Street (Boggy Creek Watershed). Applicant Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, and general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-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. Owner/Applicant: Elena Herrera Family Bypass Trust, Ernesto B & Elena V. Herrera Living Trust, El Otro Lado, Inc. Agent: Drenner Group, PC (Amanda Swor). City Staff: Heather Chaffin, Housing and Planning Department (512) 974-2122.

District(s): District 3

46. C14-2021-0171 - Harris Branch & Howard Lane - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12704 and 12706 Harris Branch Parkway (Gilleland Creek and Harris Branch Watersheds). Applicant Request: To rezone from development reserve (DR) district zoning to general commercial services-mixed use (CS-MU) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use (CS-MU) combining district zoning. Owner/Applicant: Homer H. and Sue Rich Revocable Living Trust (David Michael Rich) Agent: Armbrust & Brown PLLC (Michael J. Whellan). City Staff: Heather Chaffin, Housing and Planning Department (512) 974-2122.

District(s): District 1

47. C14-2021-0145 - Roger ADU - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5210 Rogers Lane (Walnut Creek Watershed). Applicant Request: To rezone from single family residence standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Applicant: Capital River Group, LLC - Series 24 (Stuart Carr). City Staff: Heather Chaffin, Housing and Planning Department (512) 974-2122.

District(s): District 1

48. C14-2021-0150 - Menchaca South - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1902 Keilbar Lane, 7515 and 7603 Menchaca Road (Williamson Creek Watershed). Applicant's Request: To rezone from family residence (SF-3) district zoning to multifamily residence-low density (MF-2) district zoning. Staff Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Owner/Applicant: Menchaca South, LLC (Laura Burkhart). Agent: RubyAnne Designs (Michael Winningham). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

49. C14-2021-0166 - South Congress Avenue Residences - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6424 South Congress Avenue (Williamson Creek Watershed). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-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-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on February 8, 2022. Owner/Applicant: Calixto Jesus Cobos. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

50. C14H-2021-0181 - Nalley-Shear-Bremond Warehouse - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 301 San Jacinto Street. Applicant's Request: To rezone from central business district (CBD) zoning to central business district - historic landmark (CBD-H) combining district zoning. First Reading approved central business district - historic landmark (CBD-H) combining district zoning on February 3, 2022. Vote: 8-2-1, (Council Members Ellis and Renteria voted nay, Council Member Casar was off the dais). Applicant: Historic Landmark Commission. Owner: 301 San Jacinto Manager, LLC (Will Houston). Owner's agent: Armbrust & Brown, PLLC (Richard T. Suttle). City Staff: Elizabeth Brummett, Historic Preservation Office, Housing and Planning Department, 512-974-1264. A valid petition has been filed in opposition to this rezoning request.

District(s): District 9

51. C14-2020-0143 -6705 and 6501 Regiene Road - Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 6501 and 6705 Regiene Road (Boggy Creek Watershed). Applicant's Request: To rezone from single family residence-standard

lot-neighborhood plan (SF-2-NP) combining district zoning and limited industrial services-neighborhood plan (LI-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. The ordinance may include modifications of City regulations. First Reading approved November 18, 2021. Vote 11-0. Second Reading approved January 27, 2022. Vote: 11-0. Owner/Applicant: Kunikco, LLC (Daryl Kunik). Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122.

**District(s):** District 1

- 52.** NPA-2020-0015.03 - 6705 & 6501 Regiene Road - Approve third reading 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 6501 and 6705 Regiene Road (Boggy Creek Watershed) from Industry to Major Planned Development land use. First Reading approved Major Planned Development land use on November 18, 2021. Vote: 11-0. Second Reading approved January 27, 2022. Vote: 11-0. Owner/Applicant: KUNIKCO LLC (Daryl Kunik). Agent: Drenner Group (Leah M. Bojo). City Staff: Jesse Gutierrez, Housing and Planning Department (512) 974-1606.

**District(s):** District 1

## Consent Agenda

### Financial Services- Contracts

53. Authorize an amendment to a revenue contract with Howard Barnett d/b/a Zilker Park Boat Rentals for continued boating concession operation services for an estimated revenue increase in the amount of \$130,282 and to extend the term by two years, for a revised total estimated contract revenue amount of \$800,000.

(Note: This contract was awarded in accordance with City Code Chapter 2-9 Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established).

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

54. Authorize an amendment to a revenue contract with Rowing Dock for continued boating concession operation services for an estimated revenue increase in the amount of \$280,000 and to extend the term by two years for a revised total estimated contract revenue amount of \$1,711,686.

(Note: This contract was awarded in compliance with the 1996 M/WBE Ordinance. There were no opportunities for subcontracting available; therefore, no goals were established).

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

55. Authorize negotiation and execution of a contract with COBUS Industries, LP for a low floor airside transport bus, in an amount not to exceed \$470,000.

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

Strategic Outcome(s): Mobility.

56. Authorize negotiation and execution of a multi-term contract with Code 4 Emergency Services LLC to administer secondary employment and related services of Travis County law enforcement for City of Austin Special Events, for up to five years in an amount not to exceed of \$2,500,000.

(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.

### Law

57. Approve a settlement subject to court approval in Evans v. City of Austin et al, Cause No. 1:20-cv-1057-RP, in the United States District Court for the Western District of Texas and direct the City Manager to return to Council the necessary resolution and ordinance to finance the court approved settlement.

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

58. Approve a settlement subject to court approval in Howell v. City of Austin, Cause No. 1:21-cv-0749-RP, in the United States District Court for the Western District of Texas and direct the City Manager to return to Council the necessary resolution and ordinance to finance the court approved settlement.

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

### **Management Services**

59. Approve a resolution confirming the City Manager's appointment of Robert Luckritz as Chief of the Emergency Medical Services Department in accord with Section 143.013 of the Texas Local Government Code.

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

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

60. Approve a resolution regarding the procurement of an external audit to review Austin Water's five most recent water quality and water supply episodes.

Sponsors: Mayor Pro Tem Alison Alter, Council Member Kathie Tovo, Council Member Vanessa Fuentes, Council Member Leslie Pool, and Council Member Paige Ellis

### **Non-Consent**

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

61. Approve an ordinance amending Ordinance No. 20211209-067 to add Kelly Evans as a substitute judge for the Municipal Court of the City of Austin for the term beginning January 1, 2022, and ending December 31, 2025.

Sponsors: Public Safety Committee

### **Adjourn**

Note: The above item(s) will be considered under its respective category, but follow the last number on the Austin, Texas, City Council Agenda for Thursday, February 17, 2022

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

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