



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

Tuesday, May 17, 2022

9:00 AM

Austin City Hall

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

C. Council Items of Interest

D. Council Discussion

D1. Council discussion related to regulations applicable to Vertical Mixed-Use buildings.

D2. Council discussion regarding increasing housing capacity on corridors.

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 (Private consultation with legal counsel - Section 551.071 of the Government Code).

E2. Discuss legal issues related to the May 2022 election (Private consultation with legal counsel - Section 551.071 of the Government Code).

E3. Discuss legal issues related to Cheatham et al v. Mayor Steve Adler et al, Cause No. D-1-GN-001009

in the 201st Judicial District for Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

- E4.** Discuss real estate matters related to the purchase, exchange, lease or value of an interest in real property and improvements related to the redevelopment of the HealthSouth property located at 1215 Red River Street and 606 East 12th Street (Real property -Section 551.072 of the Government Code).

Adjourn

Consent Agenda

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of May 3, 2022 and regular meeting of May 5, 2022.

Convention Center

2. Approve an ordinance amending the Fiscal Year 2021-2022 Tourism and Promotion Fund (Ordinance No. 20210811-001) to increase appropriations by a total of \$1,082,155 to support the Austin Convention and Visitors Bureau's recovery from the financial challenges resulting from the COVID-19 pandemic. Related to Item #3.

Strategic Outcome(s): Economic Opportunity and Affordability.

3. Approve a resolution amending the Austin Convention and Visitors Bureau, d/b/a Visit Austin, Fiscal Year 2021-2022 Marketing Plan and Approved Budget to increase the Budget by \$1,082,155 for a revised Budget amount of \$12,586,863; amending the contract payment from the City to Visit Austin to establish that payment, as required by Chapter 351 of the Texas Tax Code, in an amount up to \$8,281,613; and authorizing the City Manager to file the approved documents with the City Clerk's Office as required by the Texas Tax Code. Related to Item #2.

Strategic Outcome(s): Economic Opportunity and Affordability.

Development Services

4. Approve an ordinance vacating approximately 449 square feet of alley to the Board of Regents of the University of Texas System, being that certain 10-foot wide alley traversing north-south between Comal Street and Concho Street, and located north of East 21st Street.

Strategic Outcome(s): Government that Works for All

District(s): District 1

Economic Development Department

5. Authorize the execution of an interlocal agreement with Austin Independent School District (AISD) to expand access to no-cost full-day pre-kindergarten for three-year-old students residing within AISD's school boundary through December 31, 2024 in an amount not to exceed \$902,075.

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

6. Authorize the negotiation and execution of an agreement with Brian Joseph for artwork for the Austin Convention Center Warehouse Art in Public Places Project, in an amount not to exceed \$100,000.

Strategic Outcome(s): Economic Opportunity and Affordability, Culture and Lifelong Learning.

District(s): District 3

7. Approve a Second Amendment to the Mueller Local Government Corporation (MLGC) Bylaws to

align the appointment of the MLGC Board of Directors with the current structure of Mayor and Council, increasing the number of Directors, altering the commencement and expiration of Director terms; designating the Mayor as Chair and the Mayor Pro Tem as Vice Chair; and designating specific staff positions to serve as MLGC Officers. Related to agenda Item #8.

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

District(s): District 9

8. Approval of an Amendment to the Articles of Incorporation of the Mueller Local Government Corporation (MLGC) to align the structure of the MLGC Board of Directors with the appointment of Mayor and Council, increasing the number of Directors, and altering the commencement and expiration of Director terms. Related to Agenda Item #7.

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

District(s): District 9

Financial Services- Contracts

9. Authorize amendments to contracts with Pro Serv Industrial Contractors LLC and Thielsch Engineering Inc. for continued power plant and chiller maintenance services, to increase the amount by \$4,800,000 and to extend each term by seven months, for revised total contract amounts not to exceed \$21,183,000.

(Note: These contracts were awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 2.00% MBE and 1.75% WBE participation; and 1.87% MBE and 1.64% WBE participation, respectively).

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

10. Authorize award and execution of a construction contract with M.A. Smith Contracting Co., Inc., for the Stassney Lane from Teri Road to Burleson Road project in the amount of \$7,259,967.50 plus a \$725,996.75 contingency, for a total contract amount not to exceed \$7,985,964.25.

[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 8.01% MBE and 1.47% WBE participation.]

Strategic Outcome(s): Mobility.

11. Authorize negotiation and execution of an amendment to the professional services agreement with HDR Engineering, Inc., for engineering services for the Corridor Improvements Project in the amount of \$12,000,000 for a total contract amount not to exceed \$70,058,000.

[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 15.15% MBE and 16.88% WBE.]

Strategic Outcome(s): Mobility.

12. Authorize negotiation and execution of a professional services agreement with the following 11 staff recommended firms (or other qualified respondents) for Request for Qualifications Solicitation No.

CLMP333: Cobb Fendley and Associates, Inc.; Stantec Consulting Services, Inc.; Miller Gray, LLC (WBE); Doucet and Associates, Inc. (WBE); MWM Design Group, Inc. (WBE); Kimley-Horn and Associates, Inc.; HDR Engineering, Inc.; Weston Solutions, Inc.; Atkins North America, Inc.; Halff Associates, Inc.; and LJA Engineering, Inc.; for Engineering Services for the 2022 Small Diameter Water and Wastewater Pipeline Engineering Services Rotation List in an amount not to exceed \$12,000,000.

[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 15.80% MBE and 15.80% WBE participation.]

Strategic Outcome(s): Health and Environment.

13. Authorize negotiation and execution of a professional services agreement with the following 11 staff recommended firms (or other qualified respondents) for Request for Qualifications Solicitation No. CLMP331: Jacobs Engineering Group, Inc.; Pape-Dawson Consulting Engineers, Inc. d/b/a Pape-Dawson Engineers, Inc.; Parson Water & Infrastructure, Inc.; K Friese & Associates, Inc. (WBE); CAS Consulting & Services, Inc. (MBE); AECOM Technical Services, Inc.; CP&Y, Inc.; CDM Smith, Inc.; BGE, Inc.; Freese and Nichols, Inc.; and Lockwood, Andrews & Newnam, Inc., for engineering services for the 2022 Large Diameter Water and Wastewater Pipeline Engineering Services Rotation List in an amount not to exceed \$24,000,000.

[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 15.80% MBE and 15.80% WBE participation.]

Strategic Outcome(s): Health and Environment.

14. Authorize negotiation and execution of a professional services agreement with Cotera+Reed Architects, Inc., for Architectural and Engineering professional services for the Town Lake Metropolitan Park - Nash Hernandez Building Renovation in amount not to exceed \$550,000.

[Note: This contract was procured through a Certificate of Exemption process. No goals were established for this contract due to this process.]

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

District(s): District 3

15. Authorize negotiation and execution of a cooperative contract with SHI-Government Solutions, Inc. for network management software, for a term of three years in an amount not to exceed \$330,000.

(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): Government that Works for All.

16. Authorize negotiation and execution of a second amendment to the Master Service Agreement entered into on December 29, 2017, and amended on June 11, 2020, to include an additional 320

square feet of cage, rack, and support space in a data center to serve Austin Water for a term of 38 months, for a total amount not to exceed \$458,366.

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

17. Authorize negotiation and execution of an amended and restated lease agreement for an initial term of 10 years with two 5-year renewal options with The Escape Game Austin, LLC, for approximately 7,110 square feet of retail space located at 405 and 407 Red River St., on the ground floor of the Austin Convention Center parking garage.

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

District(s): District 9

18. Ratify multiple emergency contracts with various contractors to provide goods and services related to the Coronavirus pandemic in the amount of \$41,913,374.

(Note: These 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): Health and Environment, Government that Works for All.

Housing and Planning

19. Authorize a fee-in-lieu of onsite affordable housing for a proposed mixed-use development subject to Plaza Saltillo Transit Oriented Development Regulating Plan and located at or near 1205 E. 4th Street, Austin, Texas 78702.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 3

Law

20. Authorize negotiation and execution of a legal services agreement with Foley & Lardner, LLP for legal services related to City of Austin v. Ladies of the Eighties, LP, et. al., No. C-1-CV-21-004045, in an amount not to exceed \$98,250.

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

21. Authorize negotiation and execution of an amendment to a legal services agreement with Max Renea Hicks for legal services related to Jennifer Virden v. City of Austin, Cause No1:21-cv-00271-RP, in the United States District Court, Western Division of Austin, Texas in the amount of \$131,750 for a total contract amount not to exceed \$181,750.

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

22. Approve a settlement in SJ Louis Construction, LLC. V. City of Austin, Cause No. D-1-GN-18-00121 in the 459th Judicial District for Travis County, Texas.

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

23. Authorize an amendment to a legal services agreement with Norton Rose Fulbright US LLP in the amount of \$120,000 for a total contract amount of \$200,000 for legal services related to an audit of 2014 Airport revenue bonds.

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

24. Approve a settlement subject to court approval in Tracy Cates v. City of Austin et al, Cause No. 1:20-cv-01258-RP, in the United States District Court for the Western District of Texas and direct the City Manager to return to Council the necessary documents to finance the court approved settlement.

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

25. Approve a settlement in Kelly Gall v. City of Austin et al, Cause No. D-1-GN-18-007050 in the 459th Judicial District for Travis County, Texas.

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

26. Approve a settlement subject to court approval in Christen Warkoczewski v. City of Austin, Cause No. 1:21-cv-0739-RP in the United States District Court for the Western District of Texas and direct the City Manager to return to Council the necessary documents to finance the court approved settlement.

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

Public Health

27. Authorize negotiation and execution of Amendment No. 4 to the agreement with the University of Texas at Austin to provide African American mental health and wellness services, to add three 12-month extension options each in an amount not to exceed \$178,685, for a revised total agreement amount not to exceed \$1,072,110.

Strategic Outcome(s): Health and Environment.

28. Authorize negotiation and execution of an agreement with Austin Independent School District to provide one-time funding for a pilot program to increase access to resources for parents and families, for a 24-month term beginning July 1, 2022, for an amount not to exceed \$520,000.

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

29. Authorize the negotiation and execution of an agreement with the Quality of Life Foundation for job placement and training services for the Emerging Leader Summer Internship Program, in an amount not to exceed \$120,000.

Strategic Outcome(s): Economic Opportunity & Affordability.

Public Works

30. Approve a resolution authorizing the submittal of the Fallwell Lane, Sand Hill Energy Center, and the South Austin Regional Wastewater Treatment Plant Access and Flood Potential Mitigation projects as candidates for the Federal Emergency Management Agency's Hazard Mitigation Assistance grant programs.

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

Transportation

31. Approve an ordinance amending City Code Chapter 13-7 (Vehicle Immobilization Services) to

authorize use of vehicle boots that may be removed by a vehicle owner and deposited in an on-site receptacle, and to prohibit imposing a security deposit for vehicle boots.

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

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 an ordinance waiving or reimbursing certain fees for the Brentwood Elementary Rocks Music Festival to be held on May 13, 14, and 15, 2022, at Brentwood Park.

Sponsors: Council Member Leslie Pool, Mayor Pro Tem Alison Alter, Council Member José 'Chito' Vela, and Council Member Mackenzie Kelly

34. Approve an ordinance waiving or reimbursing certain fees under City Code Chapter 14-1 for the renaming of Pan American Neighborhood Park.

Sponsors: Council Member Sabino "Pio" Renteria, Council Member Vanessa Fuentes, Council Member Paige Ellis, and Council Member José 'Chito' Vela

35. Approve a resolution declaring the City's support for inclusive reproductive care, amending the City's legislative agenda to include support for The Access to Infertility Treatment and Care Act, and directing the City Manager to study and report back on the inclusion of family building support, such as fertility and adoption and fostering assistance, for City employees.

Sponsors: Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Vanessa Fuentes, Council Member José 'Chito' Vela, and Council Member Kathie Tovo

36. Approve an ordinance waiving or reimbursing certain fees related to the Bengali New Year Festival to be held on Saturday, May 21, 2022 at Fiesta Gardens.

Sponsors: Council Member Leslie Pool, Mayor Steve Adler, Mayor Pro Tem Alison Alter, Council Member Kathie Tovo, and Council Member Ann Kitchen

37. Approve the waiver or reimbursement of certain fees for the Texas Peace Officers Memorial Parade held on May 1, 2022, at 1000-1099 Congress Ave.

Sponsors: Council Member Mackenzie Kelly, Mayor Pro Tem Alison Alter, Council Member Paige Ellis, and Council Member Kathie Tovo

38. Approve an ordinance waiving or reimbursing Fiscal Year 2021-2022 Parks and Recreation Department training fees for lifeguards.

Sponsors: Council Member Paige Ellis, Council Member Ann Kitchen, Council Member Natasha Harper-Madison, Council Member Kathie Tovo, and Mayor Steve Adler

39. Approve a resolution reopening the rezoning application for the property located 6501 and 6705 Regiene Road to consider modifications to the minimum setbacks for interior side and rear yards.

Sponsors: Council Member Natasha Harper-Madison, Council Member José 'Chito' Vela, Council Member Ann Kitchen, Council Member Mackenzie Kelly, and Council Member Sabino "Pio" Renteria

40. Approve a resolution initiating amendments to the Regulating Plan for North Burnet Gateway Zoning District to increase the maximum height with development bonus and modify maximum floor-to-area ratio with development bonus in the CMU-Gateway Zone Subdistrict.
- Sponsors:** Council Member Leslie Pool, Council Member José 'Chito' Vela, Mayor Pro Tem Alison Alter, Mayor Steve Adler, and Council Member Mackenzie Kelly
41. Approve an ordinance waiving the requirements of City Code Title 14, Chapter 14-1, Article 4; renaming Volma Overton, Sr. Shores at Town Lake Metro Park to 'Volma Overton, Sr. Beach at Town Lake Metro Park'; and directing the City Manager to amend the Lamar Beach Vision Plan to reflect the new name of the park.
- Sponsors:** Council Member Kathie Tovo, Council Member Natasha Harper-Madison, Council Member Sabino "Pio" Renteria, Mayor Pro Tem Alison Alter, and Council Member Leslie Pool
42. Approve an ordinance waiving or reimbursing certain fees related to the Chinese Culture Festival to be held on Saturday, May 7, 2022 at Brentwood Christian School.
- Sponsors:** Mayor Pro Tem Alison Alter, Council Member Paige Ellis, Council Member Vanessa Fuentes, Council Member Kathie Tovo, and Council Member Mackenzie Kelly

Item(s) to Set Public Hearing(s)

43. Set a public hearing to consider an ordinance authorizing an amendment to the Land Development Standards Agreement with Manor Independent School District to extend the term of the agreement by five years. (Suggested date: June 9, 2022, at Austin City Hall, 301 W. Second Street, Austin, Texas)
- Strategic Outcome(s):** Government that Works for All
44. Set a public hearing to receive citizen input on the City's draft HOME American Rescue Plan (HOME-ARP) Allocation Plan that will be submitted to the U.S. Department of Housing and Urban Development as part of the City's application for \$11,400,000 in federal funding through a HOME-ARP grant. (Suggested date: Thursday, June 9, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).
- Strategic Outcome(s):** Economic Opportunity and Affordability.
45. Set a public hearing to receive citizen input on the City's draft Fiscal Year 2022-2023 Action Plan that will be submitted to U.S. Department of Housing and Urban Development as part of the City's application for federal funding. (Suggested date: Thursday, June 9, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).
46. Set a public hearing to consider an ordinance relating to the full-purpose annexation of approximately 194.5 acres located in Travis County near 6100 Blue Goose Road; and ratify an agreement with the owner of the land for the provision of services. Case number: C7a-2022-0002. The property is Austin extraterritorial jurisdiction adjacent to Council District 1. (Suggested date: June 9, 2022, at Austin City Hall, 301 W. Second Street, Austin, Texas).
- Strategic Outcome(s):** Government that Works for All.
47. Set a public hearing to consider an ordinance relating to the full-purpose annexation of approximately 87.9 acres located in Travis County east of the intersection of East Slaughter Lane and Thaxton Road; and ratify an agreement with the owner of the land for the provision of services.

Case number: C7a-2022-0006. The property is Austin extraterritorial jurisdiction adjacent to Council District 2. (Suggested date: June 9, 2022, at Austin City Hall, 301 W. Second Street, Austin, Texas.

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

Non-Consent

Council Discussion

- 48. Council discussion related to regulations applicable to Vertical Mixed-Use buildings. Public comment will be heard, but no action taken.
- 49. Council discussion regarding increasing housing capacity on corridors. Public comment will be heard, but no action taken.

Eminent Domain

- 50. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the William Cannon Drive Corridor Project for the public use of reducing vehicular delay, improving the effectiveness of transit, and creating continuous ADA-compliant sidewalks, bicycle facilities, and either separate paths or a shared-use path which will enhance safety for pedestrians and cyclists along the entire length of the project, the acquisition of a Sidewalk, Trail, and Recreational Easement comprising approximately 0.0520 of an acre of land (approximately 2,267 square feet), and a Temporary Construction Easement of approximately 0.0138 of an acre of land (approximately 602 square feet), being out of and a portion of Lot 1, Cannon Oaks Subdivision, a subdivision recorded in Volume 87 Pages 32A - 32B of the Plat Records, City of Austin, Travis County, Texas currently appraised at amount of \$378,192 subject to an increase in value based on updated appraisal(s) or a Special Commissioners' award. The owner of the needed property is National Retail Properties LP, a Delaware limited partnership. The property is located at 3431 W. William Cannon Drive, Austin, TX 78745. The general route of the project is along William Cannon Drive between Southwest Parkway to McKinney Falls Parkway.

Strategic Outcome(s): Mobility, Safety.

District(s): District 5

- 51. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the William Cannon Drive Corridor Project for the public use of reducing delay, improving the effectiveness of transit, and creating continuous ADA-compliant sidewalks, bicycle facilities, and either separate paths or a shared-use path which will enhance safety for pedestrians and cyclists along the entire length of the project, the acquisition of a Sidewalk, Trail, and Recreational Easement comprising approximately 0.0394 of an acre of land (approximately 1,718 square feet), and a Temporary Construction Easement of approximately 0.0276 of an acre of land (approximately 1,202 square feet), being out of and a portion of the Theodore Bissell League, Survey No. 18, Abstract No. 3, being out of a portion of Lot 1, Block 1, Courteplace, a subdivision recorded December 11, 1987, in Volume 87 Pages 131C- 131D of the Plat Records, City of Austin, Travis County, Texas currently appraised at \$206,540 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Panjwani Energy Properties, LLC, a Texas limited liability company. The

property is located at 3430 W. William Cannon Drive, Austin, TX 78745. The general route of the project is along William Cannon Drive between Southwest Parkway to McKinney Falls Parkway.

Strategic Outcome(s): Mobility, Safety.

District(s): District 5

Austin Housing and Finance Corporation Meeting

52. 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 <https://www.austintexas.gov/departments/city-council/2022/20220519-ahfc.htm>).

Public Hearings and Possible Actions

53. Conduct a public hearing regarding amendments to the Austin Strategic Mobility Plan, an element of the Imagine Austin Comprehensive Plan.

Strategic Outcome(s): Mobility.

54. Conduct a public hearing and consider an ordinance regarding floodplain variances for the construction of two new dwelling units at 5203 Chico Street. The property is in the 100-year floodplain of Tannehill Branch.

Strategic Outcome(s): Safety.

District(s): District 3

55. Conduct a public hearing and consider an ordinance regarding floodplain variances for the construction of two new dwelling units at 5205 Chico Street. The property is in the 100-year floodplain of Tannehill Branch.

Strategic Outcome(s): Safety.

District(s): District 3

56. Conduct a public hearing related to an application by Creekside Senior Housing Limited Partnership, or an affiliated entity, for housing tax credits for a multi-family development to be financed through the private activity bond program and to be known as Arbors at Creekside, located at or near 1026 Clayton Lane, 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.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 1

57. Conduct a public hearing related to an application by Bluffs at Nelms, LP, or an affiliated entity, for housing tax credits for a multi-family development to be financed through the private activity bond program and to be known as Bluffs at Nelms Senior Apartments, located at or near 1609 Nelms Drive, Austin, Texas 78744, 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.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 2

58. Conduct a public hearing and consider a request by Foxtrot Market, located at 4818 Burnet Road, for a waiver of the distance requirement of City Code Section 4-9-4(A) which requires a minimum 300-foot separation distance between a business selling alcoholic beverages and a school.
Strategic Outcome(s): Safety, Government that Works for All.
District(s): District 7
59. Conduct a public hearing and consider an ordinance that temporarily amends 2022 Local Standards of Care for the Parks and Recreation Department's Youth Programs (Ordinance No. 20220217-040).
Strategic Outcome(s): Health and Environment, Culture and Lifelong Learning.
60. Conduct a public hearing and consider second reading of an ordinance adopting the twelfth modification to the Urban Renewal Plan for the East 11th and 12th Streets Urban Renewal Area to align with proposed amendments to the East 11th and 12th Street Neighborhood Conservation Combining Districts. Related to Items #83 and #84.
Strategic Outcome(s): Economic Opportunity and Affordability.
District(s): District 1

Executive Session

61. Discuss legal issues involved with lawsuits and claims related to Austin Police Department during the protests that occurred on May 30 and 31, 2020 (Private consultation with legal counsel - Section 551.071 of the Government Code).
62. Discuss legal issues related to the May 2022 election (Private consultation with legal counsel - Section 551.071 of the Government Code).

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

63. C14-2021-0193 - 7400 South Congress Avenue - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7400 South Congress Avenue (South Boggy Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning and community commercial (GR) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on June 7, 2022. Owner/Applicant: SL South Congress, LP (John Kiltz). Agent: Land Use Solutions (Michele Haussmann). City Staff: Wendy Rhoades, 512-974-7719.
District(s): District 2
64. NPA-2021-0016.05.SH - Live Make Apartments- 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 1127, 1129 (portion of), 1129 ½ (portion of), Tillery St. & 1118, 1202, 1204 Henninger Street. (Boggy Creek Watershed) from Single Family to Neighborhood Mixed Use land use. Staff and Planning

Commission recommendation: To grant the applicant's request for Neighborhood Mixed Use land use. Owner/Applicant: Austin Housing and Finance Corp. Agent: Live Make Housing Partners, LP (Hilary Andersen Carter). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 3

65. C14-2021-0172.SH - Live Make Apartments - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1127, 1129 Tillery Street (portion of), 1129 1/2 Tillery Street (portion of), 1118, 1202 and 1204 Henninger Street (Boggy Creek Watershed). Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning. Owner/Applicant: Austin Housing Finance Corporation (Rosie Truelove). Agent: BauerHouse (Hilary Carter). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 3

66. NPA-2021-0015.02 -- 3101 Hibbetts Road - Conduct a public hearing and approve 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 3101 Hibbetts Road (Boggy Creek Watershed) from industry to higher-density single-family land use. Staff and Planning Commission Recommendation: To grant higher-density single-family land use. Owner/Applicant: George, Jr. & Barbara Kurachi. Agent: Drenner Group, PC (Leah Bojo). City Staff: Maureen Meredith, Housing and Planning Department (512) 974-2695.

District(s): District 1

67. C14-2021-0134 - 3101 Hibbetts Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3101 Hibbetts Road (Boggy Creek Watershed). Applicant's Request: To rezone from single family residence standard lot-neighborhood plan (SF-2-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Owner/Applicant: George Jr. and Barbara Kurachi. Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

68. C14-2022-0007 - 10258 Old Lockhart Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 10258 Old Lockhart Road (Marble Creek Watershed; Rinard Creek Watershed). Applicant's Request: To zone from unzoned to multifamily residence-low density (MF-2) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on June 7, 2022. Owner/Applicant: Magdalena B. and Rogelio Neira. Agent: Jackson Walker LLP (Pamela Madere). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

69. C14-2022-0025 - Mirador Drive - Single Family Residence - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning a portion of the property locally known as 4901 Mirador Drive (Barton Creek Watershed-Barton Springs Zone). Applicant's Request: To rezone from rural residence (RR) district zoning to single family residence-standard lot (SF-2) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant single family residence-standard lot (SF-2) district zoning. Owner/Applicant: Jauregui, Inc. (Luis Jauregui). Agent: Jauregui, Inc. (Claudia De La Vega). City Staff: Andrei Lubomudrov, 512-974-7659.

District(s): District 8

70. C14-85-244, Part 7 (RCA #3) - 10001 N. Capital of Texas Highway Restrictive Covenant Amendment - Conduct a public hearing and approve a restrictive covenant amendment on a property locally known as 10001 North Capital of Texas Highway (Shoal Creek Watershed). Applicant Request: To amend the public restrictive covenant associated with zoning case C14-85-244, Part 7. Staff and Zoning and Platting Commission Recommendation: To amend the public restrictive covenant amendment. Owner/Applicant: AUSTIN H ARBORETUM PROPCO, LP. Agent: Smith Robertson, LLP (David Hartman). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

71. C14-2022-0013 - 5410-5504 Viewpoint Drive - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 5410, 5412, 5500, 5502, and 5504 Viewpoint Drive (Williamson Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. First Reading approved on April 21, 2022. Vote: 10-0, Council Member Pool was off the dais. Owners/Applicants: Jason Martin and Marshall Fleniken. Agent: Drenner Group, PC (Leah Bojo). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

72. C14-99-0069.01 - 200 S Congress Avenue - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 200, 208, 210, and 220 ½ South Congress Avenue (Lady Bird Lake Watershed). Applicant Request: To rezone from limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, to change conditions of zoning. The ordinance may include modifications of City regulations. Staff Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, to change conditions of zoning. Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, to change conditions of zoning, with conditions. Owner: Rivian Lone Star Holdings, LLC (Isaac Howell). Applicant: Drenner Group, PC (Leah M Bojo). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

District(s): District 9

73. C14-2021-0161 - West William Cannon Housing - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3101 West William

Cannon Drive (Williamson Creek Watershed-Barton Springs Zone). Applicant's Request: To rezone from limited office-conditional overlay (LO-CO) combining district zoning to multifamily residence-moderate-high density (MF-4) district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density (MF-4) district zoning. Zoning and Platting Commission Recommendation: Forward to Council without a recommendation due to lack of an affirmative vote. Owner / Applicant: Jubilee Christian Center (Jimmy R. Seal). City Staff: Wendy Rhoades, 512-974-7719. This action concerns land located in the Barton Springs Zone.

District(s): District 5

74. C14-2021-0189 - 4833 Spicewood Springs - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4833 Spicewood Springs Road (Bull Creek Watershed). Applicant Request: To rezone from limited office (LO) district zoning and family residence (SF-3) district zoning to limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning, as amended. Staff Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To deny the rezoning. Owner/Applicant: Spicewood Canyon, LP (Juan Creixell). Agent: Keepers Land Planning (Ricca Keepers). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

75. C14H-2021-0164 - Chrysler Air Temp House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2502 Park View Drive. 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. Historic Landmark Commission Recommendation and Staff Recommendation: To grant single family residence standard lot - historic landmark (SF-2-H) combining district zoning. Zoning and Platting Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Applicant: Historic Landmark Commission. Owner: Hugh Corrigan. Owner's agent: Coats|Rose (Racy L. Haddad). 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 7

76. 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: Drenner Group, PC (Leah Bojo). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

District(s): District 5

77. C14-2021-0188 - 10817 Old San Antonio Road - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 10817 Old San Antonio Road (Onion Creek Watershed). Applicant's Request: To rezone from single family

residence-standard lot (SF-2) district zoning to general commercial services (CS) district zoning. First Reading approved neighborhood commercial-conditional overlay (LR-CO) combining district zoning, with conditions, on March 24, 2022. Vote: 11-0. Owner / Applicant: Caroline Riley. Agent: Keepers Land Planning (Ricca Keepers). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

78. C14-2021-0195 - Howard Lane Residences Two - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1421 East Howard Lane (Harris Branch Watershed). Applicant Request: To rezone from community commercial-mixed use (GR-MU) combining district zoning and multifamily residence-medium density district (MF-3) zoning to multifamily residence-moderate-high density (MF-4) district zoning. First Reading approved multifamily residence-moderate-high density (MF-4) district zoning, with conditions, on 1st reading on March 3, 2022. Vote: 10-0. Owner/Applicant: John Colbert Fish & Oana H Fish. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

79. C14-2021-0155 - Lyndhurst Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning and rezoning property locally known as 13424 Lyndhurst Street and 13443 North FM 620 Road North Bound (Lake Creek Watershed). Applicant Request: To rezone and zone from community commercial-conditional overlay (GR-CO) combining district zoning and interim-single family residence-standard lot (I-SF-2) district zoning to general commercial-mixed use (CS-MU) 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/Applicant: Naiser Holdings, LLC. Agent: Thrower Design, LLC (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 6

80. 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

81. 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: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.

District(s): District 9

82. C14-2022-0022 - 1106 S Meadows - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1106 South Meadows Drive (Little Walnut Creek Watershed). Applicant Request: To rezone from single-family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant family residence (SF-3-NP) combining district zoning. Owner/Applicant: TALEM INVESTMENTS LLC. Agent: McNair Consulting, LLC (Jason McNair). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 4

83. C14-2021-0037 - East 12th Street Neighborhood Conservation Combining District (NCCD) Amendment - Approve second reading of an ordinance amending City Code Title 25 by rezoning property locally known as the East 12th Street NCCD, within the boundaries of the north side of East 12th Street between the IH-35 North frontage road and Poquito Street and the south side of East 12th Street between Branch Street and Poquito Street. (Lady Bird Lake Watershed and Waller Creek Watershed). Applicant's Request: To rezone property within the boundaries of the East 12th Street NCCD to amend allowable building heights, floor-to-area ratios (FAR), impervious cover maximums, permitted uses, uses permitted with additional conditions, and conditional uses. The proposed changes will not change any base zoning districts within the NCCD. First reading approved on April 21, 2022. Vote 10-0 with Council Member Pool was off the dais. Agent: City of Austin, Housing and Planning Department. This is a City of Austin initiated zoning change. City Staff: Mark Walters, 512-974-7695. Valid petitions have been filed in opposition to this zoning case. Related to Items #60 and #84.

District(s): District 1

84. C14-2021-0033 - East 11th Street Neighborhood Conservation Combining District (NCCD) Amendment - Approve second reading of an ordinance amending City Code Title 25 by rezoning property locally known as the East 11th Street NCCD, within the boundaries of IH-35 Northbound frontage road between East 12th Street and the northern alley of East 7th Street; East 11th Street from IH-35 to Navasota Street; Juniper Street between Branch Street and Navasota Street; Rosewood Avenue between Navasota Street and the eastern property line of 1314 Rosewood Avenue; and a segment of San Bernard Street (Lady Bird Lake Watershed and Waller Creek Watershed). Applicant's request: To rezone property within the boundaries of the East 11th Street NCCD to amend allowable building heights, floor-to-area ratios (FAR), impervious cover maximums, permitted uses, uses permitted with additional conditions, and conditional uses. The proposed changes will not change any base zoning districts within the NCCD. First reading approved on April 21, 2022. Vote 10-0 with Council Member Pool was off the dais. Agent: City of Austin, Housing and Planning Department. This is a City of Austin initiated zoning change. City Staff: Mark Walters, 512-974-7695. Valid petitions have been filed in opposition to this zoning case. Related to agenda Items #60 and #83.

District(s): District 1

Consent Agenda

Housing and Planning

85. Authorize negotiation and execution of a one-year contract with Family Eldercare to fund renovations at the Candlewood Suites located at 10811 Pecan Park Blvd, Austin, Texas 78750, known as the Pecan Gardens, a hotel conversion project to create new, permanent supportive housing in the City, for a total contract amount not to exceed \$3,903,216.13.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 6

Innovation Office

86. Authorize negotiation and execution of amendments to the master interlocal agreement with The University of Texas at Austin for research, consulting, and technical assistance to increase the expenditure limit by \$2.5 million, for a total contract amount not to exceed \$10 million, to remove the annual expenditure limit in the agreement, and to make other clarifying changes regarding the term of contract.

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

Item(s) from Council

87. Approve a resolution initiating an amendment to City Code Chapter 25-2 to allow properties within the Capitol Dominance Overlay District to participate in the Downtown Density Bonus Program.

Sponsors: Council Member Natasha Harper-Madison, Council Member Paige Ellis, Council Member Sabino "Pio" Renteria, and Council Member José 'Chito' Vela

88. Approve a resolution supporting reproductive health rights and directing the City Manager to develop an ordinance to prohibit employment and housing discrimination on the basis of reproductive health decisions.

Sponsors: Council Member Vanessa Fuentes, Council Member José 'Chito' Vela, Mayor Pro Tem Alison Alter, Council Member Paige Ellis, and Mayor Steve Adler

89. Approve a resolution directing the City Manager to provide free menstrual products in various City-owned facilities.

Sponsors: Council Member Vanessa Fuentes, Council Member Paige Ellis, Council Member Ann Kitchen, Council Member Kathie Tovo, and Council Member Natasha Harper-Madison

90. Approve a resolution relating to environmental protections and water quality; and initiating amendments to the City Code.

Sponsors: Council Member Kathie Tovo, Council Member Vanessa Fuentes, Council Member Sabino "Pio" Renteria, and Council Member Ann Kitchen

Non-Consent

Item(s) Referred from Council Committee(s)

91. Approve a resolution appointing of Anwar Sophy to the Sobering Center Local Government Corporation Board of Directors.

Sponsors: Public Health Committee

Executive Session

92. Discuss legal issues related to Cheatham et al v. Mayor Steve Adler et al, Cause No. D-1-GN-001009 in the 201st Judicial District for Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
93. Discuss real estate matters related to the purchase, exchange, lease or value of an interest in real property and improvements related to the redevelopment of the HealthSouth property located at 1215 Red River Street and 606 East 12th Street (Real property -Section 551.072 of the Government Code).

Public Hearings and Possible Actions

94. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to regulation of public mobility projects in the right-of-way; and establishing an optional payment related to water quality controls for public mobility projects in the right-of-way.

Strategic Outcome(s): Mobility.

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

95. C14-2022-0025 - Mirador Drive - Single Family Residence - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning a portion of the property locally known as 4901 Mirador Drive (Barton Creek Watershed-Barton Springs Zone). Applicant's Request: To rezone from rural residence (RR) district zoning to single family residence-standard lot (SF-2) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant single family residence-standard lot (SF-2) district zoning. Owner/Applicant: Jauregui, Inc. (Luis Jauregui). Agent: Jauregui, Inc. (Claudia De La Vega). City Staff: Andrei Lubomudrov, 512-974-7659. This action concerns land located in the Barton Springs Zone.

District(s): District 8

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, May 19, 2022

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