



**Thursday, June 16, 2022**

The City Council will convene at 10:00 AM on Thursday, June 16, 2022 at Austin City Hall 301 W. 2nd 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 Alison Alter, District 10

Council Member 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

**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](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**

1. Approve the minutes of the Austin City Council work session of June 7, 2022 and regular meeting of June 9, 2022.

#### **Development Services**

2. Approve an ordinance vacating undeveloped right-of-way of approximately 5,498 square feet to 2017 Shaw Garage, LP; 3,714 square feet to 2017 Perry Tract, LP; 4,370 square feet to 2017 Hobbes, LP; 6,679 square feet to NMF Housing 1; 810 square feet to 3007 East 12th Condominium Association; 21 square feet to 2017 Pink Panther, LP for a total of approximately 21,092 square feet, being that certain sixty foot wide right-of-way known as Harvey Street, traversing diagonally from E. 12th to Sol Wilson Avenue.  
Strategic Outcome(s): Government that Works for All.  
District(s): District 1
3. Approve an ordinance vacating undeveloped right-of-way of approximately 33,682 square feet to LMC Sky Mountain Holdings, LLC, being that certain 50 foot wide right-of-way commonly known as Sky Mountain Drive traversing east from Mountain Shadows Drive.  
Strategic Outcome(s): Government that Works for All  
District(s): District 8

#### **Economic Development Department**

4. Authorize execution of interlocal agreement with Austin Community College (ACC) for the ACC Fashion Incubator for a three-year term for a total agreement amount not to exceed \$165,000.  
Strategic Outcome(s): Economic Opportunity and Affordability.
5. Approve an ordinance setting the assessment rate and approving a proposed 2023 assessment roll for the Downtown Public Improvement District.  
Strategic Outcome(s): Economic Affordability and Opportunity.  
District(s): District 9

6. 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 for a total agreement amount not to exceed \$902,075.

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

7. Approve a resolution appointing AustinUp's nominee to the Austin Economic Development Corporation Board of Directors.

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

### **Financial Services**

8. Approve a resolution directing the publication of an Official Notice of Intention to Issue \$16,500,000 City of Austin, Texas, Certificates of Obligation, Series 2022.

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

9. Approve an ordinance to suspend the effective date of a proposed rate increase by Oncor Electric Delivery Company, LLC by 90 days.

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

### **Financial Services- Contracts**

10. Ratify a contract with DRC Emergency Services, LLC to provide emergency brush and bulk debris removal services, in the amount of \$1,195,000.

(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, Safety.

11. Ratify a contract with Austin Formula Utilities, LLC to provide emergency water leak repairs at Decker Power Plant, in the amount of \$211,978.

(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 Safety.

12. Authorize negotiation and execution of a contract with Practicing Perfection Institute to provide performance improvement consulting services, for a term of two years in an amount not to exceed \$574,000.

(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.

13. Authorize negotiation and execution of a cooperative contract with Kudelski Security Inc. for A10 Networks Load Balancer maintenance, training, and support services, for a term of three years in an amount not to exceed \$496,000.

(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 goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

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

14. Authorize negotiation and execution of a contract with Pump Solutions Inc. to provide pump repair, replacement parts, and services for five years for a total contract amount not to exceed \$972,750.

(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 Safety.

15. Authorize award and execution of a construction contract with Posillico Civil, Inc., for the Country Club West - Roy G. Guerrero Park Channel Stabilization project in the amount of \$21,878,200 plus a \$3,281,730 contingency, for a total contract amount not to exceed \$25,159,930.

[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 9.83% MBE and 2.29% WBE participation.]

Strategic Outcome(s): Health and Environment, Safety

District(s): District 3

16. Authorize award and execution of a construction contract with Muñiz Concrete & Contracting Inc., for the Tennis Facilities - Pharr Tennis Center Renovations - Rebid project in the amount of \$4,572,262 plus a \$457,226.20 contingency, for a total contract amount not to exceed \$5,029,488.20.

[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 8.77% MBE and 1.78% WBE participation.]

Strategic Outcome(s):

Culture and Lifelong Learning, Health and Environment

District(s): District 9

17. Authorize negotiation and execution of a Construction Manager-at-Risk Agreement with Hensel Phelps Construction Co. for preconstruction and construction services for the Barbara Jordan Terminal Optimization project in an amount not to exceed \$46,000,000.

[Note: This contract will be awarded in compliance with 49 CFR Part 26 DBE Procurement

Program and City Code Chapter 2-9A of the MBE/WBE Procurement Program by meeting the goals with 22.33% DBE participation.]

Strategic Outcome(s): Safety, Mobility, Government that Works for All

District(s): District 2

18. Authorize award and execution of a construction contract with Santa Clara Construction, Ltd. (MBE), for the Vargas Neighborhood Water and Wastewater Pipeline Renewal project in the amount of \$4,535,091 plus a \$453,509.10 contingency, for a total contract amount not to exceed \$4,988,600.10.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 80.37% MBE and 0.74% WBE participation.]

Strategic Outcome(s):

Health and Environment

District(s): District 3

19. Authorize award and execution of a construction contract with Excel Construction Services, LLC, for the Zebra Mussel Mitigation project in the amount of \$4,435,204 plus a \$443,520.40 contingency, for a total contract amount not to exceed \$4,878,724.40.

[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 2.45% MBE and 2.54% WBE participation.]

Strategic Outcome(s):

Safety

District(s): District 8; District 10

20. Authorize negotiation and execution of professional services agreements with the following two staff recommended firms (or other qualified respondents) for Request for Qualifications Solicitation No. CLMP323: Intertek USA Inc., dba Intertek AIM and Metallurgical Engineering Services, for testing, inspection, and engineering analysis services for the 2022 Inspection and Analysis of Power Generation Facilities Rotation List in an amount not to exceed \$6,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). The City's Small and Minority Business Resources Department has determined that no goals are appropriate for this solicitation.]

Strategic Outcome(s):

Government that Works for All.

21. Authorize negotiation and execution of a contract with Verizon Business Network Service Inc. d/b/a Verizon Business for multi-label switching services, for a term of three years in an amount not to exceed \$300,000.

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

established).

Strategic Outcome(s): Safety.

22. Authorize negotiation and execution of a contract with Sikich LLP d/b/a Sikich for a customized Microsoft Dynamics Customer Relationship Management software platform and support services, for a term of four years in an amount not to exceed \$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): Economic Opportunity and Affordability.

23. Authorize award of seven contracts for skilled trades for building maintenance and repair with Elk Electric Inc., JM Engineering, LLC, Trini Construction Builder LLC (MDB), Mechanical & Process Systems LLC (MDB), Corza Construction LLC (MDB), SI Mechanical, and Entech Sales & Services LLC, each for a term of five years in an amount not to exceed \$65,485,000 divided among the contractors.

(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 and subcontractor goals were applied to the solicitation. The subcontracting goals were exceeded, and the resulting contracts will include 5.04% MBE and 0.64% WBE combined participation).

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

24. Authorize award and execution of a construction contract with Alpha Paving Industries, LLC. for the Local Mobility ADA Sidewalk and Ramp Improvements Group 26 IDIQ - City Wide Indefinite Delivery/Indefinite Quantity contract in the amount of \$10,000,000 for an initial 18-month term, with two, one year extension options of \$10,000,000 each, for a total contract amount not to exceed \$30,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.47% MBE and 2.03% WBE participation.]

Strategic Outcome(s):

Safety, Mobility.

25. Authorize award and execution of a construction contract with Austin Constructors, LLC. (WBE) for the Local Mobility ADA Sidewalk and Ramp Improvements Group 27 IDIQ - City Wide Indefinite Delivery/Indefinite Quantity contract in the amount of \$1,500,000 for an initial one-year term, with two, one-year extension options of \$1,500,000 each, and one, six-month extension option of \$500,000, for a total contract amount not to exceed \$5,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.53% MBE and 2.03% WBE participation.]

Strategic Outcome(s):

Safety, Mobility.

26. Authorize award and execution of a construction contract with Muniz Concrete & Contracting, Inc. for the Local Mobility ADA Sidewalk and Ramp Improvements Group 28 IDIQ - City Wide Indefinite Delivery/Indefinite Quantity contract in the amount of \$5,000,000 for an initial one-year term, with two, one-year extension options of \$5,000,000 each, for a total contract amount not to exceed \$15,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.41% MBE and 2.04% WBE participation.]

Strategic Outcome(s):

Safety, Mobility.

27. Authorize negotiation and execution of a professional services agreement with RS&H, Inc. (staff recommendation) or one of the other qualified respondent(s) for Request for Qualifications Solicitation No. CLMP326 to provide engineering design and construction phase services for the Airport Expansion and Development Program Airfield Infrastructure in an amount not to exceed \$8,000,000.

[Note: This contract will be awarded in compliance with the requirements of 49 CFR Part 26 and City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Program) by meeting the goals with 17.00% DBE participation.]

Strategic Outcome(s): Safety, Mobility.

28. Authorize negotiation and execution of an amendment to the Design Build contract with Flintco LLC for the Fire and EMS Stations Rebuild and Renovations in the amount of \$10,700,000 for a total contract amount not to exceed \$26,700,000. Related to items #31 and #32.

[Note: This amendment was awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date 67.97% MBE and 10.69% WBE.]

Strategic Outcome(s):

Safety.

29. Authorize negotiation and execution of two contracts with Spartan Medical, Inc. and Wellness And Equity Alliance Holdings, PLLC for operation of COVID-19 testing and vaccination sites, each for a term of five years in an amount not to exceed \$10,000,000 divided between the contractors.

(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): Health and Environment.

30. Authorize the negotiation and execution of all documents and instruments necessary or desirable to

acquire a miscellaneous easement from the State of Texas, acting by and through the Commissioner of the General Land Office, on behalf of the Permanent School Fund for approximately .6233 of an acre, being generally located south of Cesar Chavez Street, west of Willow Street, and north of Lady Bird Lake, for a total amount not to exceed \$170,000 including closing costs.

Strategic Outcome(s): Health and Environment.

District(s): District 9

## Fire

31. Approve an ordinance amending the Fiscal Year 2021-2022 Austin Fire Department Capital Budget (Ordinance No. 20210811-001) to increase appropriations by \$4,700,000 for the completion of the Fire and EMS Stations Rebuild and Renovations. Related to items #28 and #32.

Strategic Outcome(s): Safety.

32. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of Certificates of Obligation bonds to be issued for expenditures in the total amount of \$4,700,000. Related to items #28 and #31.

Strategic Outcome(s): Safety.

## Housing and Planning

33. Approve a resolution consenting to the issuance, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$30,000,000 in Multi-family Private Activity Bonds to finance, in part, the new construction of an affordable rental development located at or near 2001 Rosewood Avenue, Austin, Texas, 78702.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 1

34. Approve an ordinance amending the Fiscal Year 2021-2022 Housing and Planning Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to accept and appropriate \$1,051,299 in funds from the United States Department of the Treasury, Emergency Rental Assistance Program to provide rental assistance to households that are unable to pay rent and utilities due to the COVID-19 pandemic.

Strategic Outcome(s): Economic Opportunity and Affordability.

35. Authorize execution of a 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 one-year term for a total contract amount not to exceed \$3,903,216.13.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 6

## Law

36. Approve a settlement in Joseph Hughes v. City of Austin, Cause No. D-1-GN-21-004852 in the 345th District Court, Travis County, Texas.

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

## Police

37. Approve an ordinance expanding an existing slow - no wake navigation control zone on Lake Austin and creating an offense.

Strategic Outcome(s): Safety.

District(s): District 8; District 10

## Public Health

38. Authorize negotiation and execution of agreements with two social service agencies to provide emergency food access services for a 20-month term beginning July 1, 2022, as follows: El Buen Samaritano for a total agreement amount not to exceed \$408,859; and Farmshare Austin for a total agreement amount not to exceed \$341,141.

Strategic Outcome(s): Health and Environment.

39. Authorize negotiation and execution of an agreement with the Austin Area Urban League for housing and rental payment assistance to prevent homelessness of tenants who are low-income Austin residents affected by the COVID-19 pandemic, for a four-month term beginning June 16, 2022 through September 30, 2022 and one three-month extension option through December 29, 2022, in an amount not to exceed \$1,051,299.

Strategic Outcome(s): Health and Environment.

40. 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 \$4,406,195 in grant funds from the Texas Division of Emergency Management for COVID-19 Lab Diagnostics.

Strategic Outcome(s): Health and Environment.

41. Approve an ordinance amending the Fiscal Year 2021-2022 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) authorizing nine full-time equivalent grant-funded positions for the Reach In, Reach Out Program.

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

## Watershed Protection Department

42. Authorize negotiation and execution of an amendment to the existing Federal Grant Agreement with the Waterloo Greenway Conservancy to authorize the use of the services of a grant expert to be jointly funded by the City and the Conservancy for the term of January 1, 2022 through December 31, 2022 for a City funding amount not to exceed \$60,000.

Strategic Outcome(s): Safety Health and Environment.

43. Approve an ordinance authorizing negotiation and execution of a Project Partnership Agreement with the United States Army Corps of Engineers; and amending the Fiscal Year 2021-2022 Watershed Protection Department Operating Budget Special Revenue Fund to accept and appropriate \$9,025,000 from the United States Army Corps of Engineers for the Confluence Construction Project; and amending the Fiscal Year 2021-2022 Watershed Department Capital

Budget (Ordinance No. 20210811-001) to transfer in \$9,025,000 from the United States Army Corps of Engineers for the Confluence Construction Project.

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

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

44. 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.
45. Approve an ordinance proclaiming August 8, 2022, as Save Our Springs Day; directing the City Manager to organize a swim party at Barton Springs Pool on that day, culminating in an official 30th Anniversary Recognition Party to be held between 6:00 p.m. and 8:00 p.m.; and waiving certain entry fees for Barton Springs Pool on that day.  
Sponsors: Council Member Ann Kitchen, Council Member Kathie Tovo, Council Member Leslie Pool, and Council Member Paige Ellis
46. Approve an ordinance proclaiming September 20, 2022, as Barton Springs University Day; directing the City Manager to ensure the event is open to the public with an emphasis on enabling Austin area high school and college students to attend; appreciating and encouraging the continued participation and cooperation of City staff in working with local environmental groups to ensure the event is successful; and waiving certain fees for Barton Springs Pool on September 20, 2022.  
Sponsors: Council Member Ann Kitchen, Council Member Kathie Tovo, Council Member Leslie Pool, and Council Member Paige Ellis
47. Approve a resolution directing the City Manager to include in the draft Fiscal Year 2022-23 fee schedule a free one-time pass to Barton Springs Pool for newly-hired local independent school district educators.  
Sponsors: Council Member Kathie Tovo, Council Member Paige Ellis, Council Member Sabino "Pio" Renteria, and Council Member Ann Kitchen
48. Approve a resolution advancing the relocation of the City's Fleet Services Department and establishing the City Council's guiding vision and policy principles for the redevelopment of City-owned real property located at 1190 Hargrave Street, Austin, Texas 78702.  
Sponsors: Council Member Natasha Harper-Madison, Council Member Sabino "Pio" Renteria, Council Member José 'Chito' Vela, Mayor Steve Adler, and Council Member Paige Ellis
49. Approve a resolution relating to potential updates and modifications to the North Burnet/Gateway Regulating Plan.  
Sponsors: Council Member Leslie Pool, Mayor Pro Tem Alison Alter, Council Member Mackenzie Kelly, Council Member José 'Chito' Vela, and Mayor Steve Adler
50. Approve a resolution directing the City Manager to adopt a living wage of \$22.00 per hour for City employees and to make other budget recommendations.  
Sponsors: Council Member Vanessa Fuentes, Council Member Ann Kitchen, Council Member José 'Chito' Vela, Council Member Kathie Tovo, and Council Member Sabino "Pio" Renteria
51. Approve a resolution directing the City Manager to produce a disaster preparedness guide and

tool-kit and to sponsor a web page of resources for non-City entities with interest in hosting a resilience hub, along with any information regarding resources available to support this work, and to include funding for this work in the Fiscal Year 2022-2023 budget.

**Sponsors:** Council Member Kathie Tovo, Council Member Leslie Pool, Mayor Pro Tem Alison Alter, and Council Member Sabino "Pio" Renteria

52. Approve a resolution directing the City Manager to explore strategies to increase high-speed roadway traffic enforcement that is narrowly focused on reducing traffic fatalities.

**Sponsors:** Council Member Paige Ellis, Mayor Pro Tem Alison Alter, Council Member Natasha Harper-Madison, and Council Member Vanessa Fuentes

53. Approve a resolution declaring a public health crisis in the City related to drug overdoses, and directing the City Manager to take the following steps to address the drug overdose crisis - invest in harm reduction strategies utilizing opioid settlement payments, coordinate with the Public Health Commission, Council, and Travis County Commissioners Court, and further directing the City Manager to create a data dashboard and public education campaign as well as amend the City's Legislative Program.

**Sponsors:** Council Member Vanessa Fuentes, Council Member Natasha Harper-Madison, Council Member Ann Kitchen, Council Member Kathie Tovo, and Mayor Steve Adler

54. Approve a resolution directing the City Manager to include in the City's legislative agenda exemption of menstrual and diaper products from state sales tax, and to include an expression of support for other items related to reducing period poverty.

**Sponsors:** Mayor Pro Tem Alison Alter, Council Member Paige Ellis, Council Member Vanessa Fuentes, Council Member Natasha Harper-Madison, and Council Member Kathie Tovo

55. Approve a resolution initiating amendments to City Code Title 25 and other International Wildland Urban Interface Code elements related to wildfire risk and wildfire mitigation, and directing the City Manager to conduct an affordability impact analysis and fiscal impact analysis.

**Sponsors:** Mayor Pro Tem Alison Alter, Mayor Steve Adler, Council Member Paige Ellis, Council Member Natasha Harper-Madison, and Council Member Leslie Pool

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

56. Set a public hearing to consider an ordinance regarding floodplain variances for the construction of a multi-family development with associated parking at 1200 W. Koenig Lane within the 25-year and 100-year floodplains of the Grover Tributary of Hancock Branch in the Shoal Creek watershed. (Suggested date: July 28, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas).

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

57. Set a public hearing to consider the Downtown Public Improvement District 2023 proposed assessments. (Suggested date: July 28, 2022, at Austin City Hall, 301 W. Second Street, Austin Texas).

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

58. Set a public hearing related to an application by Austin Gateway Apartments, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Austin Gateway Apartments, located at or near 3335

Caseybridge Court, Austin, Texas 78741, within the City. (Suggested date: Thursday, July 28, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 3

59. Set a public hearing related to an application by La Vista de Lopez, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program, to be known as La Vista de Lopez, located at or near 809 East 9th Street, Austin, Texas 78702, within the City. (Suggested date: Thursday, July 28, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 1

60. Set a public hearing to consider an ordinance related to the limited purpose annexation of Pilot Knob Municipal Utility District (MUD) No. 4, Tracts N, O, and P (approximately 50.9 acres) in southeastern Travis County, east of Thaxton Road and south of Sassman Road. The annexation area is in Austin's extraterritorial jurisdiction contiguous to Council District 2. Annexation case number: C7L-2022-0001. (Suggested date: July 28, 2022, at Austin City Hall, 301 W. 2nd Street, Austin, Texas).

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

61. Set a public hearing to consider amendments to City Code Chapter 25-1 (General Requirements and Procedure at Austin City Hall, 301 W. Second Street, Austin, Texas) to require parkland dedication for commercial, including industrial and office uses, developments. (Suggested date: July 28, 2022 at Austin City Hall, 301 W. Second Street, Austin, Texas).

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

## Non-Consent

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

62. Approve a recommendation to continue the existence and operations of the Economic Prosperity Commission.

Sponsors: Audit and Finance Committee

### Eminent Domain

63. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the Airport Expansion and Development Program for the public use of constructing, improving, equipping, maintaining, operating, and regulating Austin-Bergstrom International Airport property to accommodate the relocation of airport taxiways, which results in the requirement of the acquisition of real property rights consisting of the leasehold interest related to 25.14 acres of land being a part the Santiago Del Valle Ten League Grant Survey, Abstract No. 24, Travis County, Texas being out of a called 1989.252 acre tract to the City of Austin in a Deed Without Warranty Recorded in Document Number 2002002218 of the Official Public Records of Travis County, Texas currently appraised at \$1,954,000 subject to an increase in value based on

updated appraisals or a Special Commissioner's award. The owner of the needed property is LoneStar Airport Holdings, LLC, a Delaware limited liability company. The property is located at 10000 Logistics Lane, Austin, Texas 78719. The general route of the project is limited to 10000 Logistics Lane, Austin, Texas 78719.

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

District(s): District 2

### **10:30 AM - Austin Housing and Finance Corporation Meeting**

64. 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/department/city-council/2022/20220616-ahfc.htm>).

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

65. Conduct a public hearing and consider an ordinance granting additional floor-to-area ratio (FAR) entitlements to the project at 78, 80, 82 and 84 Rainey Street in accordance with the Downtown Density Bonus Program under City Code Section 25-2-586(B)(6).

Strategic Outcome(s): Economic Opportunity and Affordability.

### **12:00 PM - Public Communication: General**

Susana Almanza - We need lower levels of affordability for Project Connect anti-displacement funds.

Adrian Macias - PODER'S FAIR FARE MOVEMENT CAMPAIGN

Yvette Castro - Solar Equity

Klaus Schwab Jr - The legal relation between Genetically Modified Food and Genetically Modified People. And how this relates to Stakeholder Capitalism. [www.WeForum.org](http://www.WeForum.org)

Ron Comeau - Austin pets alive

Paul Robbins - City and budget issues.

Debbie Romero -spokes person for GoGo Trailer Park

### **12:00 PM - Live Music**

Ms. Mack and The Daddies

### **Executive Session**

66. Discuss legal issues related to the Fayette Power Project (Private consultation with legal counsel - Section 551.071 of the Government Code).

67. Discuss Austin Energy generation resource issues (Certain public power utility competitive matters - Section 551.133 of the Government Code).
68. 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).
69. Discuss legal issues related to the City's Minority and Women-Owned Business Enterprise Procurement Program (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)**

70. NPA-2022-0017.02-7301 Burnet Road- Conduct a public hearing and approve an ordinance amending Ordinance No. 20040401-Z-2 the Crestview/Wooten 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 7301 Burnet Road (Shoal Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: 7301 Burnet Road, LLC. Agent: Armbrust and Brown, PLLC (Michael J. Whellan). City Staff: Maureen Meredith, Housing and Planning Department (512) 974-2695.

District(s): District 7

71. C14-2021-0187 - Menchaca Road - Calvo - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 11530 Menchaca Road (Slaughter Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to commercial-liquor sales (CS-1) district zoning for Tract 1 and general commercial services (CS) district zoning for Tract 2. First Reading approved commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 1 and general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 2 on May 5, 2022. Vote: 8-0, Council Members Harper-Madison, Kelly, and Tovo were off the dais. Owner/Applicant: Manchaca Holdings, LLC (Antonio Calvo). Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

72. 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

73. C14-99-0069.01 - 200 S Congress Avenue - Approve second and third readings of 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. First Reading approved with conditions on May 19, 2022. Vote: 10-0, Council Member Renteria was off the dais. 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

74. C14-2021-0141 Agave Annex - Conduct a public hearing and of an ordinance amending City Code Title 25 by zoning property locally known as 7902 West Rogers Lane and 4708 Rogers Lane (Walnut Creek Watershed). Applicant’s Request: To rezone from single family residence standard lot (SF-2) district zoning to single family residence small lot (SF-4A) district zoning. Staff and Zoning and Platting Commission Recommendation: To grant single family residence small lot (SF-4A) district zoning. Owner/Applicant: Agave Brown, Ltd. (by 1500 Oliver GR, LLC, its General Partner (David Foor). Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

75. C14-2022-0020 - 2103 W Slaughter - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2103 West Slaughter Lane (Slaughter Creek Watershed). Applicant’s Request: To rezone from neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning to community commercial (GR) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning, to change conditions of zoning. Owner/Applicant: Shokrollah Delaram. City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

76. C14-2022-0038 - 2320 E Riverside Dr - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2320 East Riverside Drive (Lady Bird Lake Watershed; Country Club West Creek Watershed). Applicant’s Request: To rezone from East Riverside Corridor (ERC) district zoning (Corridor Mixed Use Subdistrict) to East Riverside Corridor (ERC) district zoning (Corridor Mixed Use Subdistrict), to increase the maximum building height through participation in the density bonus program. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning (Corridor Mixed Use Subdistrict), to increase the maximum building height through participation in the density bonus program. Planning Commission Recommendation: To forward to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: 2410 East Riverside Ltd. (David L. Roberts). Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 3

77. NPA-2020-0021.02 - 1100 Manlove Street - Approve on second and third readings of 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 a portion of the property locally known as 1100 Manlove Street (Harpers Branch Watershed) from Single Family to Neighborhood Mixed Use land use, as amended. First reading approved on May 19, 2022. Vote: 9-0. Council Member Renteria was off the dais; Council Member Tovo recused. 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

78. C14-2020-0081 - 1100 Manlove Street - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning a portion of the 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, as amended. First reading approved on May 19, 2022. Vote: 9-0. Council Member Renteria was off the dais; Council Member Tovo recused. 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

79. C14-2021-0150 - Menchaca South - Approve second and third readings of 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. First Reading approved on May 19, 2022. Vote: 10-0, Council Member Renteria was off the dais. Owner/Applicant: Menchaca South, LLC (Laura Burkhardt). 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

80. NPA-2019-0022.02- 305 S. Congress PUD - Approve second and third readings of an ordinance amending Ordinance No. 20050929-Z001 the Greater South River City 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 305 South Congress Avenue (Lady Bird Lake Watershed) from Industry to Mixed Use land use. First Reading approved Mixed Use land use on April 7, 2022. Vote: 10-0, Council Member Harper-Madison was off the dais. Owner/Applicant: Richard T. Suttle, Jr., Trustee. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Jerry Rusthoven, Housing and Planning Department, 512-974-3207.

District(s): District 9

81. C814-89-0003.02 - 305 S. Congress - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 305 South Congress Avenue (Lady Bird Lake Watershed). Applicant's Request: To rezone from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit

development-neighborhood plan (PUD-NP) combining district zoning, to change conditions of zoning. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First Reading approved with additional conditions on April 7, 2022. Vote: 10-0, Council Member Harper-Madison was off the dais. Owner / Applicant: Richard T. Suttle, Jr., Trustee. Agent: Armbrust & Brown PLLC (Richard T. Suttle, Jr.). City Staff: Jerry Rusthoven, 512-974-3207.

District(s): District 9

### **5:30 PM – Proclamations**

Proclamation – El Buen Samaritano Day – To be presented by Mayor Adler and to be accepted by Dr. Rosamaria Murillo, CEO, and El Buen Samaritano staff

Proclamation – Austin-Koblenz Sister Cities Day – To be presented by Mayor Pro Tem Alter and to be accepted by Margie Tiedt

Proclamation – Lamar Middle School Scotties Archery Day – To be presented by Council Member Pool and to be accepted by the Lamar Middle School Archery Team

Proclamation – World Rainforest Day – To be presented by Council Member Tovo and to be accepted by Niyanta Spelman

Proclamation – Crossing Guard Appreciation – To be presented by Council Member Harper-Madison

### **Adjourn**

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.

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.