

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, JUNE 9, 2022**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, June 9, 2022 at Austin City Hall, 301 W. Second Street, Austin, TX and via videoconference.

Mayor Adler called the Council Meeting to order at 10:12a.m. Council Member Ellis joined via video conference.

**CONSENT AGENDA**

1. Approve the minutes of the Austin City Council special called meeting of May 17, 2022, work session of May 17, 2022, and regular meeting of May 19, 2022.

**The motion to approve the minutes of the Austin City Council special called meeting of May 17, 2022, work session of May 17, 2022, and regular meeting of May 19, 2022 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

2. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent electric transmission and distribution easement consisting of approximately 0.060 acres (2,634 square feet) for the Austin Energy Transmission Circuit 811 JL-MC 138kV upgrade project, located at 9425 N. Lamar Blvd., Austin, Texas 78753 and being a part of Lot 2, Northwend Phase "B" Section 1-D, John Applegait Survey No. 58, in an amount not to exceed \$151,303, including standard and customary closing costs and fees. District(s) Affected: District 4. Strategic Outcome(s): Government that Works for All.

**The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent electric transmission and distribution easement was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

**Item 3 was pulled for discussion.**

4. Authorize negotiation and execution of a financing agreement with the Texas Water Development Board for a 20-year low-interest loan in the amount of \$18,000,000 through

the State Water Implementation Fund for Texas loan program, for the implementation of Austin Water's Advanced Metering Infrastructure program. Strategic Outcome(s): Government that Works for All.

**The motion authorizing the negotiation and execution of a financing agreement with the Texas Water Development Board was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

5. Authorize negotiation and execution of a cost participation agreement with Gateway Oasis V, LLC, to reimburse the developer in an amount not to exceed \$9,766,500, for costs associated with the design and construction of an oversized water main and appurtenances related to Service Extension Request No. 4989 that will provide water service to a proposed manufactured home and recreational vehicle development located at 10203 Rodriguez Road. Strategic Outcome(s): Government that Works for All.

**The motion authorizing the negotiation and execution of a cost participation agreement with Gateway Oasis V, LLC, was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

6. Authorize the negotiation and execution of an agreement with Oculi Studio LLC for artwork for the Corridor Construction Program William Cannon Drive Improvements Art in Public Places Project, in an amount not to exceed \$104,000. District(s) Affected: District 2. Strategic Outcome(s): Economic Opportunity and Affordability & Culture and Lifelong Learning Strategy.

**The motion authorizing the negotiation and execution of an agreement with Oculi Studio LLC was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

7. Approve an ordinance setting the assessment rate and approving a proposed 2023 assessment roll for the East Sixth Street Public Improvement District. Related to Item #70. District(s) Affected: District 9. Strategic Outcome(s): Economic Opportunity and Affordability.

**Ordinance No. 20220609-007 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

8. Approve an ordinance setting the assessment rate and approving a proposed 2023 assessment roll for the South Congress Preservation and Improvement District. Related to Item #71. District(s) Affected: District 9. Strategic Outcome(s): Economic Opportunity and Affordability.

**Ordinance No. 20220609-008 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

9. Authorize execution of an interlocal agreement with the University of Texas at Austin's Extended Education Ventures to license continued use of 11 online small business classes for a 36-month term, for a total contract amount not to exceed \$82,500. Strategic Outcome(s): Economic Opportunity and Affordability, Culture & Lifelong Learning.

**The motion authorizing the execution of an interlocal agreement with the University of Texas at Austin's Extended Education Ventures was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

**Item 10 was pulled for discussion.**

11. Approve an ordinance amending the Fiscal Year 2021-2022 Financial Services Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to appropriate the remaining amount of \$94,282,478 for a total appropriation not to exceed \$188,482,478 from the United States Department of Treasury, available through the American Rescue Plan Act, for municipal purposes related to the Coronavirus disease outbreak and recovery efforts. Strategic Outcome(s): Government that Works for All.

**Ordinance No. 20220609-011 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

12. Authorize award of a contract with WWaterTech Services, Inc. d/b/a WWaterTech, Inc. for two roll-off container filters, in an amount not to exceed \$135,500. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Health and Environment.

**The motion authorizing the award of a contract with WWaterTech Services, Inc. doing business as WWaterTech, Inc. was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

13. Authorize award of a contract with Grenier Services Company LLC d/b/a Cedar Park Overhead Doors for overhead doors maintenance, repair, and replacement services, for a term of five years in an amount not to exceed \$6,975,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Safety, Government that Works for All.

**The motion authorizing the award of a contract with Grenier Services Company LLC doing business as Cedar Park Overhead Doors was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

**Item 14 was pulled for discussion.**

15. Ratify a revenue contract with Austin Metal & Iron Co LP to provide reclamation services, for a total revenue amount of \$350,000. (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): Safety.

**The motion to ratify a revenue contract with Austin Metal & Iron Co LP was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

16. Authorize additional revenue to a contract with Austin Metal & Iron Co LP to continue providing reclamation services, for an additional revenue amount of \$450,000 for a revised total estimated revenue amount of \$800,000. (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): Safety.

**The motion authorizing additional revenue to a contract with Austin Metal & Iron Co LP was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

17. Authorize award of a contract with Central Waste and Recycling, LLC d/b/a Central Waste and Recycling for grit removal services for roll-off containers, for a term of five years in an amount not to exceed \$1,915,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Health and Environment.

**The motion authorizing the award of a contract with Central Waste and Recycling, LLC doing business as Central Waste and Recycling was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

18. Authorize negotiation and execution of a contract with Air Cleaning Technologies Inc. for the inspection, repair, maintenance, and installation of Plymovent diesel exhaust systems, for a term of five years for a total contract amount not to exceed \$1,123,000. (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): Health and Safety.

**The motion authorizing the negotiation and execution of a contract with Air Cleaning Technologies Inc. was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

19. Authorize negotiation and execution of a contract with ABM Industry Groups, LLC to provide operation and management services for the Permitting and Development Center Parking Facility, for a term of five years in an amount not to exceed \$780,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no

subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Mobility, Government that Works for All.

**The motion authorizing the negotiation and execution of a contract with ABM Industry Groups, LLC was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

20. Authorize negotiation and execution of two contracts with Linda Rebecca Johnson d/b/a Arborholic LLC and TreeFolks, Inc. to provide the administration of tree programs and related services, each for a term of five years for total contract amounts not to exceed \$4,000,000 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 goods and services required for this solicitation, there were an insufficient availability of certified M/WBEs; therefore, no subcontracting goals were established). Strategic Outcome(s): Economic Opportunity and Affordability, Health and Environment, Culture and Lifelong Learning.

**The motion authorizing the negotiation and execution of two contracts with Linda Rebecca Johnson doing business as Arborholic LLC and TreeFolks, Inc. was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

21. Authorize an amendment to a contract with GC3 Specialty Chemicals Inc. to provide bulk aqueous ammonia, to increase the amount by \$111,200 and to extend the term by four months, for a revised total contract amount not to exceed \$654,000. (Note: This contract was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government that Works for All.

**The motion authorizing an amendment to a contract with GC3 Specialty Chemicals Inc. was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

22. Authorize negotiation and execution of a professional services agreement with the following seven staff recommended firms (or other qualified respondents) for Request for Qualifications Solicitation No. CLMP329: Harutunian Engineering, Inc. (WBE), CP&Y, Inc., Arcadis US, Inc., Jacobs Engineering Group, Inc., Black & Veatch Corp, Alan Plummer Associates, Inc., and Signature Automation, LLC (MBE), for engineering services for the 2022 Austin Water SCADA Services Rotation List in an amount not to exceed \$10,000,000. [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 7.20% MBE and 2.91% WBE participation.] Strategic Outcome(s): Safety, Health and Environment.

**The motion authorizing the negotiation and execution of a professional services agreement with Harutunian Engineering, Inc. (WBE), CP&Y, Inc., Arcadis US,**

**Inc., Jacobs Engineering Group, Inc., Black & Veatch Corp, Alan Plummer Associates, Inc., and Signature Automation, LLC (MBE), was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

23. Authorize award and execution of a construction contract with PGC General Contractors, LLC, for the Ullrich Water Treatment Plant Process Drain and Support Systems Improvements project in the amount of \$13,967,260 plus a \$1,396,726 contingency, for a total contract amount not to exceed \$15,363,986. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 7.57% MBE and 0.17% WBE participation.] District(s) Affected: District 8. Strategic Outcome(s): Safety.

**The motion authorizing the award and execution of a construction contract with PGC General Contractors, LLC was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

24. Authorize award and execution of a construction contract with Southwest Corporation, for the Public Safety Training Campus Running Track project in the amount of \$895,446.09 plus a \$89,544.60 contingency, for a total contract amount not to exceed \$984,990.69. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 0.85% MBE and 1.24% WBE participation.] Strategic Outcome(s): Safety, Health and Environment.

**The motion authorizing the award and execution of a construction contract with Southwest Corporation was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

25. Ratify three contracts for tires, tubes, and associated components for City vehicles with Youngblood Automotive & Tire LLC d/b/a Youngblood Auto & Tire or Youngblood Auto, Kando Partners d/b/a Klingemann American Car Care Center, and Southern Tire Mart LLC d/b/a Southern Tire Mart in the amount of \$206,000. (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): Mobility.

**The motion to ratify three contracts with Youngblood Automotive & Tire LLC doing business as Youngblood Auto & Tire or Youngblood Auto, Kando Partners doing business as Klingemann American Car Care Center, and Southern Tire Mart LLC doing business as Southern Tire Mart was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

26. Authorize award of two contracts with Trane U.S. Inc. and Entech Sales & Services LLC for chiller system maintenance, repair, inspection, and installation, each for a term of five years for total contract amounts not to exceed \$19,100,000 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): Government that Works for All, Health and Environment.

**The motion authorizing the award of two contracts with Trane U.S. Inc. and Entech Sales & Services LLC was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

27. Authorize award of a contract with Austin Community Radio d/b/a KAZI FM 88.7 to provide radio broadcast services, for a term of five years in an amount not to exceed \$600,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government that Works for All.

**The motion authorizing the award of a contracts with Austin Community Radio doing business as KAZI FM 88.7 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

28. Authorize negotiation and execution of a multi-term cooperative contract with Carahsoft Technology Corp for software licenses, professional services, and maintenance supporting the Austin Health Force application, for up to three years in an amount not to exceed \$4,000,000. (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, Health and Safety.

**The motion authorizing the negotiation and execution of a multi-term cooperative contract with Carahsoft Technology Corp was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

29. Authorize negotiation and execution of a cooperative contract with Dell Marketing LP for Dell products and services, for a term of five years in an amount not to exceed \$111,500,000. (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 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.

**The motion authorizing the negotiation and execution of a cooperative contract with Dell Marketing LP was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

30. Authorize award of two contracts with Metro Fire Apparatus Specialists Inc. and The Supply Cache, Inc. to provide wildfire equipment and supplies, each for a term of five years for total contract amounts not to exceed \$955,000 divided between the contractors. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Health and Environment, Safety.  
**The motion authorizing the award of two contracts with Metro Fire Apparatus Specialists Inc. and The Supply Cache, Inc. was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**
31. Authorize negotiation and execution of a contract with Safeguard Health Plans, Inc. d/b/a MetLife to provide retiree dental insurance services, for a term of five years in an amount not to exceed \$920,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established. However, the recommended contractor identified subcontracting opportunities). Strategic Outcome(s): Health and Environment, Government that Works for All.  
**The motion authorizing the negotiation and execution of a contract with Safeguard Health Plans, Inc. doing business as MetLife was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**
32. Authorize negotiation and execution of a cooperative contract with ConvergeOne, Inc. for Avaya hardware and software support, for a term of three years in an amount not to exceed \$4,530,000. (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.  
**The motion authorizing the negotiation and execution of a cooperative contract with ConvergeOne, Inc. was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**
33. Authorize negotiation and execution of a cooperative contract with GTS Technology Solutions, Inc. for toughbook rugged computing devices, in an amount not to exceed \$820,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government that Works for All.



**The motion authorizing the negotiation and execution of a cooperative contract with GTS Technology Solutions, Inc. was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

34. Authorize negotiation and execution of a cooperative contract with Carahsoft Technology Corporation for cloud-based scheduling software and support services, for a term of three years in an amount not to exceed \$420,000. (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.

**The motion authorizing the negotiation and execution of a cooperative contract with Carahsoft Technology Corporation was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

35. Authorize negotiation and execution of a cooperative contract with Carahsoft Technology Corporation for an aerial imagery and geospatial data subscription, for a term of three years in an amount not to exceed \$300,000. (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.

**The motion authorizing the negotiation and execution of a cooperative contract with Carahsoft Technology Corporation was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

36. Authorize negotiation and execution of a multi-term cooperative contract with Solid Border, Inc. to provide Rapid7 cybersecurity software and support services, for a term of three years in the amount not to exceed \$1,100,000. (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.

**The motion authorizing the negotiation and execution of a multi-term cooperative contract with Solid Border, Inc. was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

37. Authorize award of a contract with Eagle Eye Partners, Inc. to provide vehicle wraps and installation services on various vehicles, for a term of five years in an amount not to exceed \$3,085,430. (Note: This solicitation was reviewed for no subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the good and services required for

this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Health and Environment, Government that Works for All.

**This item was postponed indefinitely on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

38. 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.

**The motion to ratify multiple emergency contracts with various contractors was approved on consent on Council Member Harper-Madison's motion, Council Member Fuentes' second on a 10-0 vote. Council Member Kelly abstained.**

39. 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. District(s) Affected: District 3. Strategic Outcome(s): Economic Opportunity and Affordability.

**This item was postponed to June 16, 2022 on Council Member Harper-Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

40. Authorize negotiation and execution of an amendment to a legal services agreement with Jackson Walker LLP for legal services related to City of Austin v. 6315 Spicewood, L.P., Condemnation Proceeding in County Court at Law No. 2 in the amount of \$95,000, for a total contract amount not to exceed \$105,000. Strategic Outcome(s): Government That Works for All.

**The motion authorizing the negotiation and execution of an amendment to a legal services agreement with Jackson Walker LLP was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

41. Approve an ordinance amending the Fiscal Year 2021-2022 Austin Public Library Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to accept and appropriate \$52,500 from the Texas State Library and Archives Commission's federal funder, Institute of Museum and Library Services, for costs associated with attending the Joint Conference of Librarians of Color, including registration, travel, lodging and meals. Strategic Outcome(s): Culture and Lifelong Learning; Government that Works for All.

**Ordinance No. 20220609-041 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

42. Authorize the negotiation and execution of an interlocal agreement with Capital Metropolitan Transportation Authority for reimbursement up to \$750,337 for design,

project management, and construction costs for the City's proportionate share of wastewater mains and a shared-use path being constructed at the McKalla commuter rail transit station. District(s) Affected: District 4, District 7. Strategic Outcome(s): Mobility; Health and Environment. Recommended by the Water and Wastewater Commission on June 8, 2022 on a 7-0 vote with Commissioners Navarro, Fisher, and Turrieta absent.

**The motion authorizing the negotiation and execution of an interlocal agreement with Capital Metropolitan Transportation Authority was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

43. Approve an ordinance amending Chapters 5-1, 5-2, 5-3, and 5-4 of the City Code to prohibit discrimination based on protective hairstyle in housing, public accommodations, employment, and employment by City contractors, and to be known as the "Austin CROWN (Creating a Respectful and Open World for Natural Hair) Act." Strategic Outcome(s): Government that Works for All, Economic Opportunity and Affordability, Health and Environment, Culture and Lifelong Learning.
- Ordinance No. 20220609-043 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

44. 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 \$18,772 in additional grant funds from the Texas Department of State Health Services for the Tuberculosis Prevention State Grant. Strategic Outcome(s): Health and Environment.
- Ordinance No. 20220609-044 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

45. Authorize negotiation and execution of an interlocal agreement with Austin Independent School District (AISD) for the City's use of AISD's facilities and related services so City can provide public health services to Austin/Travis County residents, for a 19-month term beginning January 11, 2021 with four 12-month renewal options, each in an amount not to exceed \$500,000. Strategic Outcome(s): Health and Environment.
- The motion authorizing the negotiation and execution of an interlocal agreement with Austin Independent School District (AISD) was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

46. Authorize negotiation and execution of Amendment No. 3 to an agreement with Catholic Charities of Central Texas to provide refugee families economic self-sufficiency and housing stability, to add one 12-month extension option in an amount not to exceed \$100,000, for a revised total agreement amount not to exceed \$400,000.00. Strategic Outcome(s): Economic Opportunity and Affordability.
- The motion authorizing the negotiation and execution of Amendment No. 3 to an agreement with Catholic Charities of Central Texas was approved on consent on**

**Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

47. Authorize negotiation and execution of Amendment No. 2 to the agreement with Front Steps, Inc. to provide emergency non-congregate shelter operations for individuals experiencing homelessness at increased risk of negative health effects from COVID-19, to add one-time funding in an amount not to exceed \$1,132,862 to the current term, for a revised total agreement amount not to exceed \$2,388,649.13. Strategic Outcome(s): Health and Environment.

**The motion authorizing the negotiation and execution of Amendment No. 2 to the agreement with Front Steps, Inc. was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

48. 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 \$7,692 in additional grant funds from the Texas Department of Health Services for the HIV Prevention Grant. Strategic Outcome(s): Health and Environment.

**Ordinance No. 20220609-048 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

49. Authorize negotiation and execution of an interlocal agreement with the Leander Independent School District for the provision of start-up costs for a new Pre-Kindergarten classroom, to expand affordable high quality early care and education options for Austin and Travis County residents, for a three-month term in an amount not to exceed \$16,000. Strategic Outcome(s): Health and Environment, Economic Opportunity and Affordability  
**The motion authorizing the negotiation and execution of an interlocal agreement with the Leander Independent School District was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

50. Authorize negotiation and execution of an agreement with the Sustainable Food Center to provide food access services under the Nutritious Food Incentive Program for an initial 12-month term beginning July 1, 2022 with one 12-month extension option, each in an amount not to exceed \$100,000, for a total contract amount not to exceed \$200,000. Strategic Outcome(s): Health and Environment.

**The motion authorizing the negotiation and execution of an agreement with the Sustainable Food Center was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

51. Authorize negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority for the design, management, construction, and maintenance of transportation system improvements that enhance transit operations and multimodal connectivity along four Project Connect MetroRapid bus routes; and approve an ordinance amending the Fiscal Year 2021-2022 Austin Transportation Department

Capital Budget (Ordinance No. 20210811-001) to appropriate up to \$500,000 from the Capital Metropolitan Transportation Authority, in support of the completion of transportation system improvements. Strategic Outcome(s): Mobility

**The motion authorizing the negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority and Ordinance No. 20220609-051 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

**Item 52 was pulled for discussion.**

53. Approve an ordinance amending City Code Section 12-4-64 (D) to establish a maximum speed limit of 45 MPH for Martin Luther King Jr. Boulevard (East) (F.M. 969) from U.S. 183 to Austin City Limits, and to establish the maximum speed limit of 30 MPH on two sections of Martin Luther King Jr. Boulevard (East) (F.M. 969), during certain times, for students attending Austin Discovery School. District(s) Affected: District 1. Strategic Outcome(s): Mobility, Safety
- Ordinance No. 20220609-053 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

54. Approve an ordinance amending City Code Chapter 12-4-64(D) (Table of Speed Limits) to establish a prima facie speed limit of 30 miles per hour for Escarpment Boulevard from Padua Drive to Bernia Drive. District(s) Affected: District 8. Strategic Outcome(s): Mobility, Safety
- Ordinance No. 20220609-054 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

55. Approve an ordinance amending City Code Chapter 12-4 (D) to establish a speed limit of 25 miles per hour for Matthews Lane from Menchaca Road to Cooper Lane. District(s) Affected: District 2, District 5. Strategic Outcome(s): Mobility, Safety
- Ordinance No. 20220609-055 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

**Items 56 and 57 were pulled for discussion.**

58. 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.
- The following appointments and waivers were approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

**Item 59 was pulled for discussion.**

60. Approve an ordinance relating to the use of sound equipment after 10:30 p.m. during the 49th Annual Willie Nelson's Fourth of July Picnic at Q2 Stadium. Council Sponsors: Council Member Leslie Pool, Mayor Steve Adler, Mayor Pro Tem Alison Alter, Council Member Mackenzie Kelly, Council Member José 'Chito' Vela.

**Ordinance No. 20220609-060 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

**Item 61 was pulled for discussion.**

62. Approve a resolution initiating amendments to City Code Title 25 relating to accessory dwelling units (ADUs) to help facilitate the construction of ADUs. Council Sponsors: Council Member Mackenzie Kelly, Council Member Natasha Harper-Madison, Council Member José 'Chito' Vela, Council Member Ann Kitchen, Council Member Paige Ellis.

**Resolution No. 20220609-062 was approved as amended on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

**The amendment was to amend line 51 to add the following:**

**“Additionally, the City Council further directs the City Manager to review all amendments adopted within the last two years to the Austin Energy Design Criteria Manual and Utilities Criteria Manual that could affect the feasibility of constructing an ADU on a lot and provide Council with potential recommendations to mitigate any identified impact.”**

63. Approve an ordinance vacating an approximately 29,468-square-foot tract of right-of-way of Cornell Street between Poquito Street and Chicon Street to the Housing Authority of the City of Austin, waiving Section 14-11-75 of the City Code as it relates to vacating the right-of-way, and conveying the vacated right-of-way at no cost. Council Sponsors: Council Member Natasha Harper-Madison, Council Member Sabino 'Pio' Renteria, Council Member Vanessa Fuentes, Council Member Ann Kitchen, Council Member Leslie Pool.

**Ordinance No. 20220609-063 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

64. Approve an ordinance waiving or reimbursing certain fees for the EC4A Scholarship Gala sponsored by Education and Careers for America to be held on October 29, 2022. Council Sponsors: Mayor Pro Tem Alison Alter, Mayor Steve Adler, Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Mackenzie Kelly.

**Ordinance No. 20220609-064 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

**Items 65 and 66 were pulled for discussion.**

67. Approve a resolution related to the expedited purchase of additional High Activity Location Observation (HALO) cameras for the Sixth Street area and directing an assessment of interest among businesses in the Historic 6th Street and Rainey Historic District in using hand-held metal detector wands and recommendations related to additional technology. Council Sponsors: Council Member Kathie Tovo, Council Member Mackenzie Kelly, Council Member Sabino 'Pio' Renteria, Mayor Steve Adler, Mayor Pro Tem Alison Alter.  
**Resolution No. 20220609-067 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**
68. Approve a resolution directing the City Manager to explore the use of the Faulk Library Building as a shared archive facility for the City of Austin and Travis County. Council Sponsors: Council Member Leslie Pool, Mayor Steve Adler, Mayor Pro Tem Alison Alter, Council Member Kathie Tovo.  
**Resolution No. 20220609-068 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**
69. Approve a resolution related to planning at a district level and initiating City Code amendments. Council Sponsors: Council Member Ann Kitchen, Council Member Leslie Pool, Council Member Vanessa Fuentes, Mayor Steve Adler, Council Member Mackenzie Kelly.  
**Resolution No. 20220609-069 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

#### **ITEMS TO SET PUBLIC HEARINGS**

70. Set a public hearing to consider the East Sixth Street Public Improvement District 2023 proposed assessments. (Suggested date: July 28, 2022 at Austin City Hall, 301 W. Second Street, Austin TX). Related to Item #7. District(s) Affected: District 9.  
**The public hearing was set for Thursday, July 28, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**
71. Set a public hearing to consider the South Congress Preservation and Improvement District 2023 proposed assessments. (Suggested date: July 28, 2022 at Austin City Hall, 301 W. Second Street, Austin TX). Related to Item #8. District(s) Affected: District 9. Strategic Outcome(s): Economic Opportunity and Affordability.  
**The public hearing was set for Thursday, July 28, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**
72. Set a public hearing to consider an ordinance renaming "Confederate Street" to "Maggie Mayes Street" under City Code Chapter 14-5. (Suggested date: July 28, 2022, Austin City Hall, Council Chambers, 301 W. Second Street, Austin, Texas). District(s) Affected: District 9. Strategic Outcome(s): Mobility, Government that Works for All.

**The public hearing was set for Thursday, July 28, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

73. Set a public hearing to consider an ordinance relating to the full-purpose annexation of approximately 52.6 acres located in Travis County near 6204 West Parmer Lane and ratify an agreement with the owner of the land for the provision of services. Case number: C7a-2022-0005. The property is in Austin's limited purpose jurisdiction in Council District 6. (Suggested date: July 28, 2022, at Austin City Hall, 301 W. 2nd Street, Austin, Texas). Strategic Outcome(s): Government That Works for All.

**The public hearing was set for Thursday, July 28, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

74. Set a public hearing to 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). (Suggested date: Thursday, June 16, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701). Strategic Outcome(s): Economic Opportunity and Affordability.

**The public hearing was set for Thursday, June 16, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

121. Approve an ordinance amending the Fiscal Year 2021-2022 Management Services Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to accept and appropriate \$2,283,985 in public assistance grant funds from the Federal Emergency Management Agency via the Texas Division of Emergency Management for COVID-19 vaccination distribution costs. Strategic Outcome(s): Government that Works for All, Health and Environment, Safety.

**Ordinance No. 20220609-121 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

122. Approve an ordinance approving the termination of the Remmert and Wendland Annexation and Development Agreement and the Lee Annexation and Development Agreement (both agreements apply to properties adjacent to District 1). Strategic Outcome(s): Government that Works for All.

**This item was postponed to June 16, 2022 on Council Member Harper-Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

123. Approve a resolution directing the City Manager to include in the Fiscal Year 2022-2023 draft budget for Council consideration and approval appropriation of current funds in the Rainey Street District Special Revenue Fund in the amount of \$500,000 to fund placemaking and placekeeping projects in the Rainey Historic District, to return with an ordinance amending Ordinance No. 20191114-050 to authorize appropriations in excess



of \$200,000 from the Rainey Street District Special Revenue Fund, and to take actions to implement projects supported by the community. Council Sponsors: Council Member Kathie Tovo, Council Member Sabino 'Pio' Renteria, Council Member José 'Chito' Vela, Council Member Mackenzie Kelly, Council Member Vanessa Fuentes.

**Resolution No. 20220609-123 was approved on consent on Council Member Harper Madison's motion, Council Member Fuentes' second on an 11-0 vote.**

**Item 124 was pulled for discussion.**

### **PUBLIC COMMUNICATION**

Ward Tisdale - I am executive director and founder of the ATXelerator and we just finished our fifth cohort. We now have more than 130 alumni and more than 25 who have served or are serving on city boards and commissions. Two of our alumni have run for city council, including Councilmember Vanessa Fuentes, and a member of this year's cohort is also running for council in November. The purpose of my visit is to briefly describe the program and inform council that our alumni are trained on city government and great candidates to fill board and commission positions. Thank you. – **Not Present.**

Pat Valls-Trelles - Animal Advisory Commission and Animal Services – **Present.**

Kristen Kelly - Homeless crisis, camps bulldozed, no where to go, why is the only housing for them in really bad areas, why aren't there options in areas for poor yet clean and hard working homeless, or at least a safe place to rent not in areas that they (mainly women) will be victimized again or be triggered by PTSD. – **Not Present.**

Mario Cantu - The Mental Health Crisis in Emergency Medical Services and Compassion Fatigue. – **Present.**

Bobby Breeden- Administrator at Riverside Nursing and Rehabilitation Center in Austin. We are now accepting application from 16 and 17 year old's that are interested in the Healthcare Industry. We offer tuition assistance, and help with advancing through the healthcare positions. (non certified nursing assistance to RNs) We are flexible with work and school schedules. Providing these benefits help both the industry and our children. Getting the information out to the city elected officials will help spread the word to the public. Regency has 8 communities in the Austin area that provide these services. – **Present.**

Jordan Perez - School safety – **Not Present**

Frances Acuña- Neighborhood stability – **Present**

Irene Hernández -Interpretation gaps – **Present**

Mirna Rodríguez -Interpretation gaps – **Present**

Perla Hernández - Interpretation gaps – **Present**

**EMINENT DOMAIN**

75. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the Oak Hill Parkway Water Relocation Project for the public use of accommodating roadway improvements, relocation of wastewater infrastructure in conflict, and the acquisition of one water line easement being approximately an 0.073 acre (3,162 sq. ft.) easement located in the J.P. Johannesen Survey No. 648, Abstract 454, Travis County, Texas, being a portion of lot 3, Westoaks Section Three, according to the map or plat thereof, recorded in Volume 19, Page 61, Plat Records, Travis County, Texas, save and except that portion already conveyed in Document Number 2019161741, the Official Public Records of Travis, County, Texas, currently appraised at \$19,901.00 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owners of the needed property are Michael J. Fix and C. Grace Palmer Fix. The property is located at 8311 Haskell Drive, Austin, Texas 78736. The general route of the project is SH 71 at Silvermine Drive to US 290 at Circle Drive, beginning at William Cannon Drive, in Travis County, Texas. District(s) Affected: District 8. Strategic Outcome(s): Government that Works for All.

**Resolution No. 20220609-075 was approved on Mayor Pro Tem Alter's motion, Council Member Pool's second on an 11-0 vote.**

76. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the Oak Hill Parkway Water Relocation Project for the public use of accommodating roadway improvements, relocation of wastewater infrastructure in conflict, and the acquisition of one water line easement being approximately an 0.058 acre (2,543 sq. ft.) easement located in the Peter Matson Survey No. 619, Abstract 538, Travis County, Texas being a portion of Lot 15, Forest Park, a subdivision of record in Volume 75, page 245, Plat Records of Travis County Texas as affected by Quitclaim Deed conveyed to Gerald D. Powell and wife, Bettina M. Powell recorded in Document Number 2009171034, Official Public Records of Travis County, Texas and Order of Vacation by instrument recorded in Document Number 2010099167, Official Public Records of Travis County, Texas currently appraised at \$15,258.00 subject to an increase in value based on updated appraisals or a Special Commissioners' award. The owners of the needed property are Gerald Dean Powell and Bettina M. Powell. The property is located at 8504 W. US 290, Austin, Texas 78736. The general route of the project is SH 71 at Silvermine Drive to US 290 at Circle Drive, beginning at William Cannon Drive, in Travis County, Texas. District(s) Affected: District 8. Strategic Outcome(s): Government that Works for All.

**Resolution No. 20220609-076 was approved on Mayor Pro Tem Alter's motion, Council Member Pool's second on an 11-0 vote.**

77. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the Oak Hill Parkway Water Relocation

Project for the public use of accommodating roadway improvements, relocation of wastewater infrastructure in conflict, and the acquisition of one water line easement being approximately an 0.103 acre (4,502 sq. ft.) easement located in Tract 1: Lot 2, Westoaks Section Three, according to the map or plat thereof, recorded in Volume 19, Page 61, Plat Records, Travis County, Texas. Tract 2: 0.787 acres of land, more or less, out of the J.P. Johannesen Survey in Travis County, Texas, and described by metes and bounds in Exhibit "A" recorded in Volume 12588, Page 2140, Real Property Records of Travis County, Texas, more commonly known as 8319 Haskell Drive, Austin, Texas 78736-3171. Save, less and accept from the above-described tracks that certain 0.173 acre tract of land awarded to the State of Texas by virtue of Judgement of Court in Absence of Objection dated November 13, 2020, under Condemnation Suit in Cause C-1-CV-20-002516, Probate Court No.1, Travis County, Texas, a certified copy being recorded in Document Number 2020243012, Official Public Records, Travis County, Texas, currently appraised at \$26,123 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Tracy Lane Schagen a/k/a Tracy Schagen. The property is located at 8319 Haskell Drive, Austin, Texas 78736. The general route of the project is SH 71 at Silvermine Drive to US 290 at Circle Drive, beginning at William Cannon Drive, in Travis County, Texas. District(s) Affected: District 8. Strategic Outcome(s): Government that Works for All.

**Resolution No. 20220609-077 was approved on Mayor Pro Tem Alter's motion, Council Member Pool's second on an 11-0 vote.**

#### **PUBLIC HEARINGS AND POSSIBLE ACTIONS**

78. Conduct a public hearing in accordance with Texas Parks and Wildlife Code Chapter 26 and consider a resolution authorizing a change in use of Govalle Neighborhood Park for the Watershed Protection Department to use, maintain, and repair 156 linear feet of 60" reinforced concrete storm pipe, to be constructed by the developers of the Flats on Shady Lane multi-family development to convey stormwater from the residential portion of the development. (Austin City Hall, 301 W. Second Street, Austin, TX). District(s) Affected: District 3. Strategic Outcome(s): Health and Environment, Government that Works for All.

**This item was postponed to July 28, 2022 on Council Member Pool's motion, Mayor Pro Tem Alter's second on an 11-0 vote.**

79. Conduct a public hearing to consider an ordinance authorizing an amendment to the Land Development Standards Agreement with Manor Independent School District to extend the expiration of the agreement by a period of five years. Strategic Outcome(s): Government that Works for All

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220609-079 was approved on consent on Council Member Pool's motion, Mayor Pro Tem Alter's second on an 11-0 vote.**

**A motion to reconsider item 79 was made on Council Member Tovo's motion, Council Member Renteria's second on a 10-0 vote. Council Member Harper-Madison was absent.**

**The motion to approve version two of the ordinance was approved on Council Member Tovo's motion, Council Member Renteria's second on a 10-0 vote. Council Member Harper-Madison was off the dais.**

82. Conduct a public hearing and consider an ordinance relating to the full-purpose annexation of approximately 194 acres located in Travis County near 6100 Blue Goose Road and ratify agreements with the owners of the land for the provision of services. Case number: C7a-2022-0002. The property is currently in Austin's extraterritorial jurisdiction adjacent to Council District 1. Strategic Outcome(s): Government that Works for All

**This item was postponed to June 16, 2022 on Council Member Pool's motion, Mayor Pro Tem Alter's second on an 11-0 vote.**

83. Conduct a public hearing and consider an ordinance relating to the full-purpose annexation of approximately 87.9 acres located in Travis County southwest 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 currently in Austin's extraterritorial jurisdiction adjacent to Council District 2. Strategic Outcome(s): Government that Works for All

**This item was postponed to July 28, 2022 on Council Member Tovo's motion, Council Member Renteria's second on an 11-0 vote.**

84. Conduct a public hearing on the City's draft Fiscal Year 2022-2023 Action Plan that will be submitted to the U.S. Department of Housing and Urban Development as part of the City's application for federal funding. Strategic Outcome(s): Economic Opportunity and Affordability.

**The public hearing was conducted and motion to close the public hearing and approve the City's draft Fiscal Year 2022-2023 Action Plan was approved on Mayor Pro Tem Alter's motion, Council Member Harper-Madison's second on an 11-0 vote.**

85. Conduct a public hearing on the City's draft HOME American Rescue Plan (HOME-ARP) Allocation Plan that will be submitted to U.S. Department of Housing and Urban Development as part of the City's application for \$11,441,252 in federal funding through a HOME-ARP grant. Strategic Outcome(s): Economic Opportunity and Affordability.

**The public hearing was conducted and motion to close the public hearing and approve the City's draft HOME American Rescue Plan (HOME-ARP) Allocation Plan was approved on consent on Mayor Pro Tem Alter's motion, Council Member Kitchen's second on an 11-0 vote.**

**Item 10 was tabled.**

**LIVE MUSIC**

Music – Cynthia Lee Fontaine

**The Mayor recessed the meeting to go into Executive Session at 12:45 p.m.**

**E. EXECUTIVE SESSION**

**The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.**

65. Approve a resolution related to inclusion of Community Workforce Agreement requirements in Power Purchase Agreements. Council Sponsors: Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria, Council Member Kathie Tovo, Council Member José 'Chito' Vela, Council Member Vanessa Fuentes.

**Conducted.**

66. Approve a resolution initiating amendments to Title 25 Land Development Code to increase housing capacity and support transit investments by relaxing compatibility and parking regulations on corridors. Council Sponsors: Mayor Steve Adler, Mayor Pro Tem Alison Alter, Council Member Vanessa Fuentes, Council Member Leslie Pool, Council Member Paige Ellis.

**Conducted.**

80. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, Subchapter E, Section 4.3 relating to Vertical Mixed Use buildings. Strategic Outcome(s): Economic Opportunity and Affordability.

**Conducted.**

87. Evaluate the performance of, and consider compensation and benefits for, the City Clerk (Personnel matters - Section 551.074 of the Government Code).

**Withdrawn.**

88. Evaluate the performance of, and consider compensation and benefits for, the City Auditor (Personnel matters - Section 551.074 of the Government Code).

**Withdrawn.**

89. Evaluate the performance of, and consider compensation and benefits for, the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).

**Withdrawn.**

90. 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).

**Withdrawn.**

91. Discuss the performance of, and consider compensation and benefits for, the City Manager (Personnel matters - Section 551.074 of the Government Code).

**Withdrawn.**

**Executive Session ended and the Mayor reconvened the meeting at 2:30 p.m.**

### **DISCUSSION ITEMS CONTINUED**

65. Approve a resolution related to inclusion of Community Workforce Agreement requirements in Power Purchase Agreements. Council Sponsors: Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria, Council Member Kathie Tovo, Council Member José 'Chito' Vela, Council Member Vanessa Fuentes.

**This item was postponed to June 16, 2022 on Council Member Kitchen's motion, Council Member Kelly's second on an 8-0 vote. Mayor Pro Tem Alter, and Council Members Fuentes and Tovo were off the dais.**

### **PUBLIC HEARINGS CONTINUED**

86. 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 #118 and #119. District(s) Affected: District 1. Strategic Outcome(s): Economic Opportunity and Affordability.

**This item was postponed to July 28, 2022 on Council Member Harper-Madison's motion, Council Member Renteria's second on an 11-0 vote.**

### **ZONING AND NEIGHBORHOOD PLAN AMENDMENTS**

92. NPA-2022-0019.01.SH - Cady Lofts- Conduct a public hearing and approve an ordinance amending Ordinance No. 20040826-056 the Central Austin Combined Neighborhood Plan, an element to the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1004, 1006 and 1008 East. 39th Street (Boggy Creek Watershed) from Single Family and Mixed Use/Office to Multifamily Residential land use. Staff and Planning Commission Recommendation: To grant Multifamily Residential land use. Owner/Applicant: Cady Lofts, LLC. Agent: Sally Gaskin. City Staff: Maureen Meredith, Housing and Planning Department (512) 974-2695. District(s) Affected: District 9.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220609-092 to change the land use designation on the**

**future land use map (FLUM) to Multifamily Residential land use was approved on Council Member Harper-Madison's motion, Council Member Renteria's second on an 11-0 vote.**

93. C14-2022-0019.SH - Cady Lofts - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1004, 1006, and 1008 East 39th Street (Boggy Creek Watershed). Applicant Request: To rezone from family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district zoning and limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning to multifamily residence-highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. Owner/Applicant: Cady Lofts, LLC (Nathan H. Leistico). Agent: SGI Ventures, Inc. (Sally Gaskin). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 9.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220609-093 for multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning was approved on consent on Council Member Harper-Madison's motion, Council Member Renteria's second on an 11-0 vote.**

94. NPA-2021-0025.02 - 7715 ½ West State Highway 71- Conduct a public hearing and approve an ordinance amending Ordinance No. 20081211-096 the Oak Hill 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 7715 ½ West State Highway 71 (Williamson Creek/Barton Springs Zone Watershed) from Single Family to Mixed Use/Office land use. Staff and Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: Stephen Simon, John Simon and Barbara Simon Bierner. Agent: Drenner Group, PC (Amanda Swor). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 8.

**This item was postponed to June 16, 2022 at the request of Staff on Council Member Harper-Madison's motion, Council Member Renteria's second on an 11-0 vote.**

95. C14-85-288.23(RCA) - 7715 ½ West State Highway 71 - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 7715 ½ West State Highway 71 (Williamson Creek Watershed-Barton Springs Zone). Applicant's Request: To amend a public Restrictive Covenant. Staff Recommendation: To amend a public Restrictive Covenant. Planning Commission Recommendation: To amend a public Restrictive Covenant, with conditions. Owner/Applicant: 5606 South Rice LLC (Jason Hauck). Agent: Drenner Group, P.C. (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719. This action concerns land located in the Barton Springs Zone. District(s) Affected: District 8.

**This item was postponed to June 16, 2022 at the request of Staff on Council Member Harper-Madison's motion, Council Member Renteria's second on an 11-0 vote.**

96. C14-2021-0130 - 7715 ½ West State Highway 71 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7715 ½ and 7817 West State Highway 71 (Williamson Creek Watershed-Barton Springs Zone). Applicant's Request: To rezone from rural residence-neighborhood plan (RR-NP) combining district zoning and limited office-neighborhood plan (LO-NP) combining district zoning to general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Owner/Applicant: 5606 South Rice LLC (Jason Hauck). Agent: Drenner Group, P.C. (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719. This action concerns land located in the Barton Springs Zone. District(s) Affected: District 8.  
**This item was postponed to June 16, 2022 at the request of Staff on Council Member Harper-Madison's motion, Council Member Renteria's second on an 11-0 vote.**
97. C14-2022-0033 - 7603 Cooper - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7603 Cooper Lane (South Boggy Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to multifamily residence-low density (MF-2) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner/Applicant: Michael Anthony Perez. Agent: Mathias Company (Richard Mathias). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220609-097 to grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning was approved on consent on Council Member Harper-Madison's motion, Council Member Renteria's second on an 11-0 vote.**
98. C14-2022-0026 - 708 E. 12th Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 708 East 12th Street (Waller Creek Watershed). Applicant's Request: To rezone from general office (GO) district zoning and neighborhood commercial (LR) district zoning to central business district (CBD) zoning. Staff Recommendation and Planning Commission Recommendation: To grant central business district (CBD) zoning. Owner/Applicant: Texas Municipal Retirement System (David Wescoe). Agent: Drenner Group, PC (Leah Bojo). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 9.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220609-098 for central business district (CBD) zoning was approved on consent on Council Member Harper-Madison's motion, Council Member Renteria's second on an 11-0 vote.**
99. C14-2022-0024 - Jaimes Development Project - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 202 Red



Bird Lane (Williamson Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning. Owner/Applicant: Joel M. Jaimes. Agent: Moreno Development Services (Candelario Moreno). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220609-099 for single family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning was approved on consent on Council Member Harper-Madison's motion, Council Member Renteria's second on an 11-0 vote.**

100. C14-2022-0031 - Remove Vehicular Access Restriction to Morrow Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as the intersection of Easy Wind Drive and Morrow Street (Waller Creek Watershed). Applicant's Request: To rezone from transit oriented development-neighborhood plan (TOD-NP) combining district zoning to transit oriented development-neighborhood plan (TOD-NP) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant transit oriented development-neighborhood plan (TOD-NP) combining district zoning, to change a condition of zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Applicant: City of Austin - Housing and Planning Department. City Staff: Andrei Lubomudrov, 512-974-7659. District(s) Affected: District 7.

**The public hearing was conducted and a motion to approve the ordinance on first reading only was approved on Council Member Harper-Madison's motion, Council Member Renteria's second on an 11-0 vote.**

101. C14-2022-0045 - 10321 and 10401 Burnet Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 10321 and 10401 Burnet Road (Little Walnut Creek Watershed). Applicant Request: To rezone from north burnet/gateway -neighborhood plan (NBG- NP) combining district zoning (commercial mixed use subdistrict) to north burnet/gateway -neighborhood plan (NBG-NP) combining district zoning - (commercial mixed use-gateway zone subdistrict). Staff Recommendation and Planning Commission Recommendation: To grant north burnet/gateway- neighborhood plan (NBG -NP) combining district zoning (commercial mixed use-gateway zone subdistrict). Owner/Applicant: Thom Interests LLC (Tract 1) and G B T & D LTD (Tract 2). Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220609-101 for north burnet/gateway -neighborhood plan (NBG-NP) combining district zoning - (commercial mixed use-gateway zone**

subdistrict) was approved on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.

**Items 102 and 103 were pulled for discussion.**

104. NPA-2020-0015.02.SH -- 2011 & 2015 EM Franklin - 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 2011 and 2015 E.M. Franklin Avenue (Tannehill Branch Watershed) from Single Family to Multifamily Residential and Neighborhood Mixed Use land use. Staff and Planning Commission Recommendation: To grant Multifamily Residential and Neighborhood Mixed Use. Owner/Applicant: 2011 & 2015 EM Franklin, LLC (Anmol Mehra). Agent: Drenner Group, PC (Leah Bojo). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 1.

**The public hearing was conducted and a motion to approve the ordinance on first reading only was approved on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

105. C14-2022-0008.SH - 2011 & 2015 EM Franklin Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2011 and 2015 E.M. Franklin Avenue (Tannehill Branch Watershed). Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning and multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning and multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning and multifamily residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. Owner/Applicant: 2011 & 2015 EM Franklin, LLC (Anmol Mehra). Agent: Capital A Housing (Conor Kenny). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 1.

**The public hearing was conducted and a motion to approve the ordinance on first reading only was approved on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

106. C14-2020-0150 - 6705 and 6501 Regiene Road- Conduct a public hearing and approve an ordinance amending Ordinance No. 20220217-051 by rezoning property locally known as 6501 and 6705 Regiene Road (Boggy Creek Watershed). Applicant's Request: To rezone from to 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 modify the minimum setbacks for interior side and rear yards to zero (0) feet. The ordinance may include modifications of City regulations. Owner/Applicant: Kunikco, LLC (Daryl Kunik). Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**This item was postponed to June 16, 2022 at the request of Staff on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

107. NPA-2021-0015.03 -- 6603 Regiene 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 6603 Regiene Road (Boggy Creek Watershed) from Industry to Major Planned Development land use. Staff and Planning Commission Recommendation: To grant Major Planned Development land use. Owner/Applicant: Laurie Lynn Akier. Agent: Drenner Group, PC (Leah Bojo). City Staff: Maureen Meredith, Housing and Planning Department (512) 974-2695. District(s) Affected: District 1.

**This item was postponed to June 16, 2022 at the request of the Neighborhood on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

108. C14-2021-0158 - 6603 Regiene Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6603 Regiene Road (Boggy Creek Watershed). Applicant's Request: To rezone from limited industrial services-neighborhood plan (LI-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Owner/Applicant: Laurie Lynn Akier. Agent: Drenner Group, PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**This item was withdrawn and replaced with Item 125.**

109. NPA-2021-0015.04 -- 6600, 6702, 6704, & 6706 Regiene 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 6600, 6702, 6704, & 6706 Regiene Road (Boggy Creek Watershed) from Industry to Major Planned Development land use. Staff and Planning Commission Recommendation: To grant the applicant's request for Major Planned Development land use. Owner/Applicant: Ira E. Regiene, Dorothy M. Regiene, Victoria Mae Gable, William John Regiene, Kathryn Ann Pool, and Laurie Lynn Alkie. Agent: Drenner Group, PC (Leah Bojo). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 1.

**This item was postponed to June 16, 2022 at the request of the Neighborhood on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

110. C14-2021-0157 - 6600, 6702, 6704, & 6706 Regiene Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6600, 6702, 6704, and 6706 Regiene Road (Boggy Creek Watershed). Applicant's Request: To rezone from limited industrial services-neighborhood plan (LI-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Owners/Applicants: Ira E. Regiene, Dorothy M. Regiene, Victoria Mae Gable, William John Regiene, Kathryn Ann Pool, Laurie Lynn Alkie Agent: Drenner Group, PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**This item was postponed to June 16, 2022 at the request of the Neighborhood on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

111. C14-2021-0194 - Evelyn - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 6100 Blue Goose Road (Harris Branch, Decker Creek, and Walnut Creek Watersheds). Applicant's Request: To zone from Unzoned to single family residence-small lot (SF-4A) district zoning (Tract 1) and community commercial-mixed use (GR-MU) combining district zoning (Tract 2). Staff Recommendation and Zoning and Platting Commission Recommendation: To grant single family residence-small lot (SF-4A) district zoning (Tract 1) and community commercial-mixed use (GR-MU) combining district zoning (Tract 2). Owners/Applicants: Evelyn J. Remmert, Alfred G. Wendland, and Jou Lee. Agent: McLean & Howard, LLP (Jeffrey Howard). City Staff: Heather Chaffin, 512-974-2122. Contiguous to District 1.

**This item was postponed to June 16, 2022 at the request of Staff on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

112. C14-2020-0143 - 12121 N IH 35 Rezoning- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12121 North IH 35 Service Road Northbound (Walnut Creek Watershed). Applicant's Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to multifamily residence-moderate high density (MF-4) district zoning. Staff and Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate high density (MF-4) district zoning. Owner/Applicant: Dupius Investments, Ltd. (Daniel McCormack) Agent: Coats Rose (Racy Haddad). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 1.

**This item was postponed to July 28, 2022 at the request of the Applicant on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

113. C14-2021-0179 Govalle Twin Liquors - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2765 East 7th Street, a portion of 2727 East 7th Street (Boggy Creek Watershed). Applicant's Request: To rezone from community commercial-neighborhood plan (GR-NP) combining district zoning to commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant commercial liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Owners/Applicants: Govalle Center, LLC (Christopher Rassier) Agent: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

**The public hearing was conducted and a motion to approve the ordinance on first reading only was approved on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

114. 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) Affected: District 2.

**This item was postponed to June 16, 2022 at the request of Staff on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

115. 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) Affected: District 5.

**This item was postponed to July 28, 2022 at the request of the Applicant on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

117. 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) Affected: District 5.  
**This item was postponed to June 16, 2022 at the request of Staff on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**
118. 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 #86 and #119. District(s) Affected: District 1.  
**The ordinance was approved on second reading only on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**
119. 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 #86 and #118.  
District(s) Affected: District 1.

**The ordinance was approved on second reading only on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

**Item 120 was pulled for discussion.**

125. C14-2021-0158 - 6603 Regiene Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6603 Regiene Road (Boggy Creek Watershed). Applicant's Request: To rezone from single family residence standard lot-neighborhood plan (SF-2-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Owner/Applicant: Laurie Lynn Akier. Agent: Drenner Group, PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

**This item was postponed to June 16, 2022 at the request of the Neighborhood on Council Member Harper Madison's motion, Council Member Renteria's second on an 11-0 vote.**

**The Mayor recessed the meeting to go into Executive Session at 4:08 p.m.**

#### **E. EXECUTIVE SESSION**

**The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.**

65. Approve a resolution related to inclusion of Community Workforce Agreement requirements in Power Purchase Agreements. Council Sponsors: Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria, Council Member Kathie Tovo, Council Member José 'Chito' Vela, Council Member Vanessa Fuentes.

**Conducted.**

66. Approve a resolution initiating amendments to Title 25 Land Development Code to increase housing capacity and support transit investments by relaxing compatibility and parking regulations on corridors. Council Sponsors: Mayor Steve Adler, Mayor Pro Tem Alison Alter, Council Member Vanessa Fuentes, Council Member Leslie Pool, Council Member Paige Ellis.

**Conducted.**

80. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, Subchapter E, Section 4.3 relating to Vertical Mixed Use buildings. Strategic Outcome(s): Economic Opportunity and Affordability.

**Conducted.**

**PROCLAMATIONS**

Proclamation – Gun Violence Prevention – To be presented by Mayor Pro Tem Alter and to be accepted by Nicole Golden of Texas Gun Sense and Austin Public Health staff

Distinguished Service Award – Officer Surei Scanlon – To be presented by Council Member Kelly and to be accepted by Officer Surei Scanlon

Proclamation – Water Safety Day – To be presented by Council Member Kelly and to be accepted by the Hanberry Family

Proclamation – Lake Travis High School Cavaliers Day – To be presented by Council Member Renteria and to be accepted by Coach David Bammel and the Lake Travis High School Men's Soccer Team

**ZONING AND NEIGHBORHOOD PLAN CONTINUED**

103. C14-2020-0147 - 200 Academy - Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 146 ½, 200, 200 ½ and 204 ½ Academy Drive; and 1006 and 1020 Melissa Lane (East Bouldin Creek Watershed). Applicant Request: To rezone from commercial-liquor sales-neighborhood conservation-neighborhood plan (CS-1-NCCD-NP) combining district zoning to commercial-liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning on Tract 1, from general commercial services-neighborhood conservation-neighborhood plan (CS-NCCD-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning on Tract 2 and from multifamily residence moderate-high density-neighborhood conservation-neighborhood plan (MF-4-NCCD-NP) combining district zoning to multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning on Tract 3. On January 27, 2022, first reading approved for commercial-liquor sales-mixed use-neighborhood conservation-neighborhood plan (CS-1-MU-NCCD-NP) combining district zoning for Tract 1, general commercial services-mixed use-neighborhood conservation-neighborhood plan (CS-MU-NCCD-NP) combining district zoning for Tract 2, and multifamily residence moderate-high density-neighborhood conservation-neighborhood plan (MF-4-NCCD-NP) combining district zoning for Tract 3, with conditions. Vote: 11-0. On May 5, 2022 second reading approved conditions of 1st Reading for commercial-liquor sales-mixed use-neighborhood conservation-neighborhood plan (CS-1-MU-NCCD-NP) combining district zoning for Tract 1, general commercial services-mixed use-neighborhood conservation-neighborhood plan (CS-MU-NCCD-NP) combining district zoning for Tract 2, and multifamily residence moderate-high density-neighborhood conservation-neighborhood plan (MF-4-NCCD-NP) combining district zoning for Tract 3, with conditions. Vote: 9-0, Council Member Kelly and Council Member Pool-off the dais. Owner: Spearhead Academy LTD (Chris Wallin). Applicant:



Weiss Architecture Inc (Richard Weiss). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request. .De Lead Department Housing and Planning District(s) Affected: District 9.

**Ordinance No. 20220609-103 for commercial-liquor sales-mixed use-neighborhood conservation-neighborhood plan (CS-1-MU-NCCD-NP) combining district zoning for Tract 1, general commercial services-mixed use-neighborhood conservation-neighborhood plan (CS-MU-NCCD-NP) combining district zoning for Tract 2, and multifamily residence moderate-high density-neighborhood conservation-neighborhood plan (MF-4-NCCD-NP) combining district zoning for Tract 3, with the following amendments and conditions, was approved on Council Member Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was off the dais.**

**The amendment to Ordinance Part 3 is as follows:**

**Part 3(A), remove the following uses;**

- **Alternative financial services**
- **Communication service facilities local utility services**
- **Telecommunication tower**
- **Urban farm**
- **Safety services**
- **Outdoor entertainment**

**Part 3(B) add, indoor Entertainment to the conditional uses.**

**Part 3 (C) Delete the section**

**Part 3(D) the sentence should read "Cocktail lounge use is a conditional use on Tract 1 and the combined square footage of any Cocktail Lounge, Theatre, or Indoor Entertainment use on Tracts 1 and 2 may not exceed 10,000 square feet of gross floor area."**

102. NPA-2019-0022.01- 200 Academy - Approve on third reading 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 146 ½ , 200, 200 ½ and 204 ½ Academy Drive and 1006 & 1020 Melissa Lane (East Bouldin Creek Watershed) from Mixed Use Office to Mixed Use land use. First Reading approved for Mixed Use land use on Tract 1 was made on Council Member Tovo's motion, Council Member Pool's second on January 27, 2022. Vote: 11-0. Second Reading approved for Mixed Use land use on Tract 1 by consent on May 5, 2022. Vote: 9-0, Council Member Kelly and Council Member Pool-off the dais. Owner/Applicant: Spearhead Academy, LTD (Chris Wallin). Agent: Weiss Architecture, Inc. (Richard

Weiss). City Staff: Maureen Meredith, Housing and Planning Department (512) 974-2695. District(s) Affected: District 9.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 202200609-102 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was off the dais.**

116. 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) Affected: District 10.

**This item was postponed indefinitely on Mayor Pro Tem Alter's motion, Council Member Kelly's second on a 10-0 vote. Council Member Harper-Madison was off the dais.**

#### **DISCUSSION ITEMS CONTINUED**

3. Approve amendments to Austin Resource Recovery's Solid Waste Services Administrative Rules, related to the use of City services for certain residential units and the Universal Recycling Ordinance. Strategic Outcome(s): Health and Environment.  
**The motion approving amendments to Austin Resource Recovery's Solid Waste Services Administrative Rules, related to the use of City services was approved on consent on Council Member Vela's motion, Council Member Tovo's second on a 10-0 vote. Council Member Harper-Madison was off the dais.**
81. Conduct a public hearing and approve a resolution to authorize the Downtown Austin Public Improvement District and designate Austin DMO, Inc., doing business as Downtown Austin Alliance, as its management entity. Related to Item #10. District(s) Affected: District 9. Strategic Outcome(s): Health & Environment, Safety, Mobility?  
**The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20220609-081 was approved on Council Member Pool's motion, Council Member Renteria's second on a 10-0 vote. Council Member Tovo recused.**
10. Authorize negotiation and execution of a management agreement with Austin DMO, Inc. doing business as Downtown Austin Alliance for management of services funded by the Austin Downtown Public Improvement District for a period of five years for a total contract amount of \$79,115,646.00. Related Item #81. District(s) Affected: District 9.

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

**The motion authorizing only the negotiation of a management agreement with Austin DMO, Inc. doing business as Downtown Austin Alliance was approved on consent on Mayor Pro Tem Alter's motion, Council Member Pool's second on a 10-0 vote. Council Member Tovo recused.**

**Direction was given to staff to issue a memo regarding homelessness initiatives in the downtown area.**

59. Approve a resolution directing the City Manager to take action to accelerate adoption of electric bicycle (e-bike) ownership, access, and usage by Austin residents. Council Sponsors: Council Member Paige Ellis, Council Member Natasha Harper-Madison, Council Member Leslie Pool, Council Member José 'Chito' Vela, Council Member Kathie Tovo, Mayor Pro Tem Alison Alter.

**Resolution No. 20220609-059 was approved as amended on Council Member Ellis' motion, Council Member Fuentes's second on an 11-0 vote.**

**Add the following as the 7<sup>th</sup> WHEREAS.**

**WHEREAS, in May of 2019 Resolution No. 20190509-020 directed the 19 City Manager to include transportation electrification and action planning within 20 Austin's climate plan update; and 21**

**Add the following as the 8<sup>th</sup> WHEREAS**

**WHEREAS, in September of 2021, City Council adopted the Austin 22 Climate Equity Plan, which establishes an overarching goal of net-zero 23 community-wide greenhouse gas emissions by 2040 and establishes specific goals 24 related to transportation mode shift and transportation electrification; and**

**Amend the BE IT RESOLVED as follows.**

**c. Providing a stronger incentive for the purchase of an electric cargo bike than for a standard e-bike with less cargo- or people-carrying capacity; and/or**

**d. Allowing, with proof of address, any member of a household that receives electricity from Austin Energy to be eligible to apply for and receive the rebate, regardless of whether that member is the named Austin Energy account holder for the household; and/or.**

**e. Allowing an online e-bike manufacturer that sells directly to consumers to become an Austin Energy Participating Dealer, and thereby allowing an online e-bike purchase to be eligible for a rebate, potentially at a lower incentive level than an e-bike purchase from a local bike retailer.**

**4. Incentivize the installation of e-bike charging infrastructure, with greater emphasis and displacement mitigation in areas that have historically under-developed transportation infrastructures, such as low-income communities and communities of color.**

**5. Expand community outreach citywide, including in the Eastern Crescent, to increase opportunities to test-ride e-bikes, improve awareness of financial resources for e-bike purchases, and share information on the MetroBike system and its e-bikes available for rent and on the City's bike infrastructure network.**

14. Authorize negotiation and execution of an amended and restated lease agreement for an initial term of three years with two five-year renewal options with East Holly, LLC, for approximately 3,580 square feet of retail space located at 417 Red River St., on the ground floor of the Austin Convention Center parking garage. District(s) Affected: District 9. Strategic Outcome(s): Government That Works for All.  
**The motion authorizing the negotiation and execution of an agreement with Oculi Studio LLC was approved on consent on Council Member Tovo's motion, Council Member Vela's second on a 11-0 vote.**

**Direction was given to staff to no longer provide abatements.**

56. Approve an ordinance amending City Code Section 12-4-64 (D) to reduce speed limits, during certain times, for students attending various schools; and provide for emergency passage. District(s) Affected: District 2, District 4, District 5, District 7, District 8. Strategic Outcome(s): Mobility, Safety.  
**Ordinance No. 20220609-056 was approved on consent on Council Member Fuentes' motion, Council Member Kitchen's second without objection on an 11-0 vote.**

**Direction was given to the City Manager to coordinate with Travis County to conduct study to extend the speed limit reduction on E Slaughter Lane from Brandt Road to Alderman Drive and on Bradshaw Road.**

57. Approve an ordinance amending City Code Chapter 12-4 to lower and establish speed limits on arterial streets outside of the Urban Core. Strategic Outcome(s): Mobility, Safety  
**This item was postponed to June 16, 2022 on Council Member Fuentes motion, Council Member Kitchen's second on an 11-0 vote.**
61. Approve a resolution relating to environmental protections and water quality; and initiating amendments to the City Code. Council Sponsors: Council Member Kathie Tovo, Council Member Vanessa Fuentes, Council Member Sabino 'Pio' Renteria, Council Member Ann Kitchen, Mayor Pro Tem Alison Alter, Council Member Leslie Pool.  
**Resolution No. 20220609-061 was approved as amended on Council Member Tovo's motion, Council Member Renteria's second on an 11-0 vote.**

Amend the Be It Resolved clause beginning at line 163 to read:

**BE IT FURTHER RESOLVED:** The City Council directs the City Manager to conduct an Affordability Impact Analysis and a Fiscal Impact Analysis for each proposed code or process change resulting from this resolution. The City Council directs the City Manager to provide the results of these analyses to Council at least two weeks prior to the implementation of any process change or the presentation of proposed code amendments for Council consideration. The City Council directs the City Manager to include these analyses as part of the Council agenda back up when an item resulting from this resolution is presented to Council for its consideration. Additionally, the City Council directs the City Manager to address the estimated costs of doing nothing to further protect against water pollution, localized flooding, and the heat island effect; of stabilizing creeks and shorelines after scouring and erosive floods; mitigating algae and bacteria in creeks and lakes; and increasing stormwater infrastructure throughout the City.

The motion to the **BE IT FURTHER RESOLVED** clause was made on Council Member Kelly's motion, Mayor Pro Tem's second on an 11-0 vote.

The motion to add the following to line 120 reads as follows.

**BE IT FURTHER RESOLVED:** The City Manager is directed to come back with recommendations and considerations in the form of a memorandum of required city staff hours to initiate the completion of this resolution and the Green Field and Steep Slope projects.

The motion to Proportionate Standards for Missing Middle Housing was made on Council Member Vela's motion and accepted as amended.

Add the following **WHEREAS**.

**WHEREAS**, small scale missing middle housing projects (projects with approximately 3 to 12 units) are required to comply with the same procedures and requirements for review of water quality protections and site plans as large scale multifamily residential projects, while single family homes are not subject to those requirements, creating an incentive for developers to build single family homes over missing middle housing to avoid water quality regulations, contributing to suburban sprawl and the housing affordability crisis.

Insert the following language after line 153 to read as follows.

The City Council directs the City Manager to account for differences in the additional cost of compliance resulting from these code amendments between single family homes, small scale missing middle projects and larger multifamily projects, so that such costs are proportionate to the scale of the project, and do not disincentivize the construction of small scale missing middle projects in favor of single family homes.

Add the following **BE IT FURTHER RESOLVED** clause to read as follows.

**BE IT FURTHER RESOLVED:**

The City Council initiates City Code amendments and directs the City Manager to provide recommendations for changes to the City Code to ensure for the same environmental impact as a single-family home, the city does not desensitize small-scale missing-middle housing projects.

52. Approve an ordinance amending the Austin Strategic Mobility Plan (Ordinance No. 20190411-033) and amending the Imagine Austin Comprehensive Plan. Strategic Outcome(s): Mobility  
**Ordinance No. 20220609-052 was approved as amended on Council Member Pool's motion, Council Member Vela's second on a 10-0 vote. Council Member Renteria abstained.**

The motion to amend the Austin Strategic Mobility Plan was made by Council Member Tovo, Council Member Kitchen's second.

Amend the ASMP to add the following language: In September 2012 City Council directed the City Manager to request the withdrawal of SH45 SW from the CAMPO 2035 Regional Transportation Plan to align with the goals of the Imagine Austin Comprehensive Plan. Resolution No. 0140515-063 reaffirmed the City Council's position that "the proposed SH45 SW is not part of the future transportation network of Austin and reaffirms its opposition to SH45 SW."

Remove the reference to the uncompleted section of SH45 between FM 1626 and IH-35.

66. Approve a resolution initiating amendments to Title 25 Land Development Code to increase housing capacity and support transit investments by relaxing compatibility and parking regulations on corridors. Council Sponsors: Mayor Steve Adler, Mayor Pro Tem Alison Alter, Council Member Vanessa Fuentes, Council Member Leslie Pool, Council Member Paige Ellis.  
**Resolution No. 20220609-066 was approved on Mayor Pro Tem Alter's motion, Council Member Pool's second on an 11-0 vote.**

The motion to amend the resolution as follows was made by Mayor Adler and accepted.

The second **BE IT RESOLVED** to read as follows.

The City Council directs the City Manager to prepare a code amendment that accomplishes the following for a property located on a Light Rail, Larger, or Medium corridor:

- 1. Defines Light Rail Corridors to include Project Connect Light Rail Lines and their Future Extensions (i.e., Orange and Blue Lines).**
- 2. Defines Larger Corridors to include:**
  - a. Austin Strategic Mobility Plan (ASMP) Level 5 Streets (i.e., major highways), and**
  - b. Project Connect Light Rail Lines and Future Extensions (i.e., Orange and Blue Lines), and**
  - c. Project Connect MetroRapid Routes (i.e., Expo Center, Pleasant Valley, Burnet to Menchaca & Oak Hill\* [exact route still under development], and Gold Lines), excluding Future Extensions.**
- 3. Defines Medium Corridors to include:**
  - a. Imagine Austin Corridors that have been constructed but do not qualify as Light Rail or Larger Corridors, and**
  - b. 2016 Bond Corridor Construction Program corridors that do not qualify as Light Rail or Larger Corridors.**
- 4. Modifies the compatibility regulations to:**
  - a. limit the applicability to properties located on the same side of corridors;**
  - b. tie the applicability to zoning classification, rather than existing land use; and**
  - c. end compatibility regulations at a 300' distance from the nearest triggering property;**
  - d. for any residential or mixed-use property on a corridor, allow more flexibility for what can be located in the 25' setback but not including dumpsters and with consideration of locating green infrastructure, landscape buffering, and green walls and solid fencing for sound attenuation; and**
  - e. for any residential or mixed-use property on a corridor, amend City Sections 25-2-1062 and 25-2-1063 to:**
    - i. increase height from 30' to 35';**
    - ii. increase height from 40' to 45';**
    - iii. increase height from 50' to 55'; and**
  - f. exempt the following from compatibility regulations:**
    - i. any use permitted in an SF-6 or more restrictive zoning district and developed in accordance with site development standards allowed within an SF-6 or more restrictive zoning district; and**
    - ii. any building consisting of only residential uses with a maximum of 12 units and a maximum of 35' height.**
- 5. Creates a bonus program for a property on a corridor that provides on-site affordable units and allows:**
  - a. properties on Light Rail Corridors to end compatibility, height, and setback regulations at a 100' distance from the nearest triggering property;**
  - b. properties on Larger Corridors to:**
    - i. reach 65' height at 100' distance, and**
    - ii. reach 90' height at 200' distance;**
  - c. properties on Medium Corridors to:**

- i. reach 65' height at 150' distance, and
  - ii. reach 90' height at 250' distance; and
- d. properties utilizing fee-in-lieu options to be eligible only if and when the fees are updated to match the equivalent of on-site construction costs.
- 6. Except for accessible parking, modifies parking for a residential or mixed<sup>94</sup> use property on a corridor as follows:
  - a. Require a property on a Light Rail or Larger Corridor to build only 25% of the parking currently required, and
  - b. Require a property on a Medium Corridor to build only 50% of the parking currently required;
- 7. Require a property on a Light Rail, Larger, or Medium Corridor and within 100 300 feet from a school to maintain existing parking regulations.

The motion to amend the resolution as follows was made by Council Member Tovo and accepted.

To add Part 8 at line 92 to read as follows.

- 8. Prohibit Type 2 and Type 3 Short Term Rental (STR) use in units along these corridors.

To add as second to the last BE IT FURTHER RESOLVED to read as follows.

**BE IT FURTHER RESOLVED:**

Prior to code amendment review at any boards or commissions, provide modeling and visual analysis for a variety of lot sizes and depths.

The motion to add number 5 was made by Council Member Vela and accepted.

To add to the third BE IT FURTHER RESOLVED to read as follows.

- 5. Explore limiting triggers as concerns civic uses, and non-residential uses in residential Zones.

Direction was given to staff to provide information gathered through the Strategic Housing Blueprint tool.

#### **AFTER 10:00 P.M.**

The motion to waive the rules and allow Council to meet after 10:00 p.m. was approved on Council Member Renteria's motion, Council Member Vela's second on an 10-0 vote. Mayor Pro Tem Alter abstained.

- 124. Approve a resolution initiating City Code amendments to the East Sixth/Pecan Street Combining District Regulations. Council Sponsors: Council Member Natasha Harper-Madison, Mayor Steve Adler, Council Member Paige Ellis, Council Member Mackenzie Kelly, Council Member Sabino 'Pio' Renteria.



Resolution No. 202200609-124 was approved as amended on Council Member Harper-Madison's motion, Council Member Kelly's second on a 9-0 vote. Mayor Pro Tem Alter and Council Member Tovo abstained.

The following amendments were added.

After line 4

WHEREAS, the area proposed for a code amendment to facilitate additional development falls within one of Austin's few National Register Historic Districts; and

WHEREAS, the Sixth Street National Register District, roughly bounded by 5th Street, 7th Street, Congress and IH-35, was added to the National Register of Historic Places in 1972; and

After line 16

WHEREAS, the developer intends to seek demolition permits for the following properties: 508, 516, 518, 610, 612, 616, 618 E. 6th St. and 600 Sabine; and

WHEREAS, the City Council would like to understand any potential impact these changes could have on the National Register Historic District; and

WHEREAS, the developer has expressed an interest in streetscape and pedestrian improvements; and

After line 31

**BE IT FURTHER RESOLVED:**

The City Council directs the Historic Landmark Commission to formally review and provide recommendations about these proposed code amendments prior to the case progressing to the Planning Commission. The City Manager shall also provide a staff report from the city's historic preservation program.

As part of this review, the developer shall provide city staff and the Historic Landmark Commission with a list of the demolitions for which they intend to seek approval as part of the redevelopment of these two blocks of historic Sixth Street. The Historic Landmark Commission and city staff shall also evaluate and provide recommendations about the impact of these planned demolitions.

The City Council further directs that the City Manager shall request that Preservation Austin provide feedback about the impact of these code amendments on the National Register Historic District.

**BE IT FURTHER RESOLVED:**

The developer shall further provide city staff and relevant commissions with detailed information about any commitments they are prepared to make with regard to participating in district-wide streetscape and placemaking initiatives.

80. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2, Subchapter E, Section 4.3 relating to Vertical Mixed Use buildings. Strategic Outcome(s): Economic Opportunity and Affordability.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220609-080 was approved as amended below on Council Member Kitchen's motion, Council Member Pool's second on a 10-1 vote. Council Member Tovo voted nay.**

**The motion to strike part 5 of the ordinance was made on Mayor Adler's motion, Mayor Pro Tem Alter's second on a 7-4 vote. Those voting aye: Mayor Adler, Mayor Pro Tem Alter, Council Members Harper-Madison, Fuentes, Renteria, Vela, and Ellis. Those voting nay: Council Members Kitchen, Pool, Kelly, and Tovo.**

**A request to strike "Properties designated as V2 from Part 1 – 4.3.1 Applicability and; to strike "and 4.3.6" from Part 2. – 4.3.2 Where Allowed were approved without objection.**

**A motion to remove Part 3 D. Compatibility and Neighborhood Standards was made by Mayor Adler. The motion failed for lack of a second.**

**The motion to revise Part 3 was made on Council Member Vela's motion and accepted without objection.**

**PART 3. Section 4.3.3.D. of Chapter 25-2, Subchapter E is amended to read as follows:**

**D. Compatibility and Neighborhood Standards. Except as provided in this section, all VMU buildings are subject to the compatibility standards of Chapter 25-2, Article 10 if applicable.**

- 1. The height limitations imposed by Sections 25-2-1062 (Height Limitations And Setbacks For Small Sites) and 25-2-1063 (Height Limitations And Setbacks For Large Sites) apply only to a VMU building or portion of a VMU building that is located:**
  - a. within 100 feet from a property zoned urban family residence (SF-5) or 36 more restrictive; or**
  - b. within 100 feet from a property that contains a use permitted in a SF-5 or more restrictive zoning district is located; and**
  - c. on a site along the Project Connect Orange and its extensions and Blue Rail lines<sup>1</sup>.**

**PART 4. Section 4.3.3.E. of Chapter 25-2, Subchapter E is amended to amend Subsections 4.3.3.E.1 and 4.3.3.E.2, 4.3.3.E.3 ...**

**3. Parking.**

- a. Except as provided in Section 4.3.3.E.3.b., for all uses in a VMU...
- b. For all uses in a VMU building, the minimum off-street parking requirement shall be 25 percent of that prescribed by Appendix A (Tables of Off-Street Parking and Loading Requirements) and may be used in combination with other parking reductions if the VMU building is located on a site along the Project Connect Orange and its extensions and Blue Rail lines<sup>2</sup>. ...

The motion to amend PART 5. Section 4.3.3.F. of Chapter 25-2, Subchapter E was made by Council Member Kitchen.

The amendment reads as follows.

**b. A building qualifies as a VMU2 building:**

- (i) When a minimum of 15 percent of the residential units within the building are reserved as affordable, for at least 40 years from the date of issuance of the certificate of occupancy, for lease and occupancy by households earning 60 percent or less of the current Austin-Round Rock Metropolitan Statistical Area Medium Family Income as determined by the Director of the Housing and Planning Department; or
- (ii) When a minimum of 12 percent of the residential units within a VMU building are reserved as affordable, for at least 40 years from the date of issuance of the certificate of occupancy, for lease and occupancy by households earning 50 percent or less of the current Austin-Round Rock Metropolitan Statistical Area Medium Family Income as determined by the Director of the Housing and Planning Department.

A motion to amend the amendment from 15 percent to 12 percent affordable housing percentage, and 12 percent to 10 percent affordable housing percentage was made on Council Member Ellis', Mayor Adler's Second. The motion failed on a 5-6 vote. Those voting aye: Mayor Adler, Council Members Ellis, Vela, Renteria, and Harper-Madison. Those voting nay. Mayor Pro Tem Alter, Council Members Kitchen, Pool, Tovo, Fuentes, and Kelly.

A motion to amend the amendment and add the orange and blue lines only to section bi and bii affordable housing percentages was made on Council Member Vela's motion, Council Member Kitchen's second. The amendment was approved without objection.

A motion to postpone the item to June 16, 2022 was made on Council Member Kelly's motion, Mayor Pro Tem Alter's second on a 2-7 vote. Council Member Tovo abstained. Council Member Harper-Madison was off the dais.

A motion to approve staff's recommendation on PART 5. Section 4.3.3.F. of Chapter 25-2, Subchapter E, 5.c was made on Council Member Vela's motion, Council Member Ellis' second was approved without objection.

The amendment reads as follows.

c. Unless otherwise approved by the director, the bedroom count for affordable units shall be comparable to the bedroom count for market rate units. At the discretion of the director, two-bedroom or three-bedroom affordable units may count as two or three, one-bedroom (efficiency) affordable units. If the number of units required in this section include less than a whole unit, the unit number is rounded up to the nearest whole unit.

The motion to reconsider Council Member Ellis' amendment was made on Council Member Kelly's motion, Council Member Vela's second on a 6-5 vote.

A motion to reconsider and amend the amendment from 15 percent to 12 percent affordable housing percentage, and 12 percent to 10 percent affordable housing percentage was approved on a 6-5 vote. Those voting aye. Mayor Adler, Council Members Ellis, Vela, Renteria, Harper-Madison and Kelly. Those voting nay. Mayor Pro Tem Alter, Council Members Kitchen, Pool, Tovo, and Fuentes.

Direction was given to staff to include a method to be responsive to varying MFI levels by census block group or census tract to better address issues of affordability and displacement with VMU developments. The City Manager is directed to analyze the following direction and report to Council on the feasibility of the following approach by November 3, 2022.

1) The affordability level of affordable units required by VMU-2 should be tied to 60% of the Travis County MFI OR 80% of the MFI for the census block group (or census tract if block group data is not available) that the parcel in question is on, whichever is lower. This defines affordability based on what is affordable to the neighborhood and takes into account equity issues. This will achieve the following:

a) When VMU-2 is used in an area in which the MFI is lower than the Travis County-wide MFI, any affordable housing included will be affordable to the existing residents in the neighborhood. This will mitigate impacts of displacement and ensure some existing, long-time residents can continue to afford their neighborhood.

b) Affordable housing will be included in higher-income neighborhoods at a rate that is more affordable than current units available in that neighborhood.

c) When units are built in a neighborhood that are "affordable" based on Travis County but not local affordability, these units contribute to gentrification and displacement in the neighborhood. This will mitigate that impact.

120. C14-2022-0003 - Clayton Lane Residences - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1120 and 1124 Clayton Lane (Fort Branch Watershed). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to community commercial-mixed use-vertical mixed use

building-neighborhood plan (GR-MU-V-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Owner/Applicant: Hallock Holdings LLC (Gary Hallock). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 4.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220609-113 for community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning was approved on Council Member Vela's motion, Council Member Kelly's second on an 11-0 vote.**

**Mayor Adler adjourned the meeting at 12:22 a.m. without objection.**

**The minutes were approved on this the 28<sup>th</sup> day of July 2022 on Council Member Kitchen's motion, Council Member Vela's second on a 10-0 vote. Council Member Fuentes was absent.**