



Thursday, May 9, 2019

The City Council will convene at 10:00 AM on
Thursday, May 9, 2019 at Austin City Hall
301 W. Second Street, Austin, TX



Mayor Steve Adler
Mayor Pro Tem Delia Garza, District 2
Council Member Natasha Harper-Madison, District 1
Council Member Sabino “Pio” Renteria, District 3
Council Member Gregorio Casar, District 4
Council Member Ann Kitchen, District 5
Council Member Jimmy Flannigan, District 6
Council Member Leslie Pool, District 7
Council Member Paige Ellis, District 8
Council Member Kathie Tovo, District 9
Council Member Alison Alter, District 10

For meeting information, contact the City Clerk, (512) 974-2210

The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9:55 AM – Invocation

Pastor Roy Jones, New Hope Missionary Baptist Church

10:00 AM – City Council Convenes

Consent Agenda

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of April 23, 2019, regular meeting of April 25, 2019 and discussion of April 25, 2019.

Budget

2. Approve a resolution, as required by Texas Property Tax Code Section 6.051, authorizing the Travis Central Appraisal District (District) to purchase and acquire real estate located at 850 E. Anderson Lane, Austin, Texas, for an amount not to exceed \$10,000,000 of District funds to allow the District to expand their existing office facilities to accommodate additional Appraisal Review Board panels.

District(s): District 4

Capital Contracting Office

3. Approve a resolution finding that the design-build method for buildings, as authorized by Subchapter G, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the project to rebuild Austin Fire Department Station #22 and renovate Austin Fire Department Stations #1 and #3.

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

District(s): District 9; District 3

Economic Development Department

4. Authorize execution of an interlocal agreement with Travis County in support of commissioning a study addressing food accessibility to include a retail recruitment/expansion strategy to address food accessibility, in an amount not to exceed \$100,000.

Law

5. Authorize negotiation and execution of an amendment to the legal services agreement with Robert Icenhauer Ramirez for legal services related to Albina Roque et al v. City of Austin et al, Cause

No. 1:17-cv-932 in the United States District Court for the Western District of Texas in an amount of \$209,000 for a total contract amount not to exceed \$371,000.

Parks and Recreation

6. Approve an ordinance amending the Fiscal Year 2018-2019 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to accept grant funds in the amount of \$200,000 from the Texas Parks and Wildlife Department Recreational Trails Grant; and amending the Fiscal Year 2018-2019 Parks and Recreation Department Capital Budget (Ordinance No. 20180911-001) to transfer in and appropriate \$200,000 from the Parks and Recreation Department Operating Budget Special Revenue Fund for the Slaughter Creek Greenbelt Equestrian Trail project.

District(s): District 5

7. Approve a resolution authorizing the City Manager, or his designee, to sign an agreement with Texas Parks and Wildlife Department for a Recreational Trails Grant in the amount of \$200,000 for Slaughter Creek Greenbelt Equestrian Trail..

District(s): District 5

8. Approve the proposed Dougherty Arts Center redevelopment site at Butler Shores Park.

District(s): District 5

Planning and Zoning

9. Approve a resolution directing the City Manager to initiate a pilot small area planning process along North Lamar Boulevard generally between Tech Ridge Transit Center and US 183.

District(s): District 4; District 7

10. Approve an ordinance for the full purpose annexation of approximately 42.064 acres in Travis County, located approximately four-tenths of a mile east of the intersection of River Place Boulevard and Milky Way Drive. Related to Item #32.

District(s): District 6; District 10

Public Works

11. Approve a resolution that adopts a newly updated list of projects approved for Quarter Cent funding.

Purchasing Office

12. Authorize award of a multi-term contract with Melendrez Trucking LLC (MWB), to provide gem sand and washed gravel aggregate materials, for up to five years for a total contract amount not to exceed \$1,379,000.

(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 and subcontractor goals were applied to the solicitation. The subcontracting goals were exceeded, and the resulting contract will include 27.96% MBE/WBE combined participation).

13. Authorize award of a multi-term contract with Nestle Waters North America Inc. D/B/A Ready Refresh by Nestle, to provide drinking water delivery service, for up to four years for a total contract amount not to exceed \$490,000.

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

14. Authorize negotiation and execution of a multi-term contract with Spatial Business System, Inc., to provide maintenance, support and system upgrades for the automated utility design software utilized by Austin Energy, for up to five years for a total contract amount not to exceed \$1,160,000.

(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 insufficient subcontract opportunities; therefore, no subcontracting goals were established).

15. Authorize negotiation and execution of a multi-term contract with Emmis Austin Radio Broadcasting Company LP, D/B/A Incite, to provide tobacco prevention and chronic disease media services, for up to five years for a total contract amount not to exceed \$1,035,000.

(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 and subcontractor goals were applied to the solicitation. The subcontracting goals were met and the resulting contract will include 1.08% MBE and 1.56% WBE participation).

Telecommunications and Regulatory Affairs

16. Approve an ordinance suspending a Gas Reliability Infrastructure Program interim rate adjustment proposed by CenterPoint Energy Resources.

Treasury Office

17. Approve a resolution accepting the results of the Audit of the Actuarial Valuations, Studies, and Reports for the City's three pension systems, City of Austin Employee's Retirement System, Austin Fire Fighters Relief and Retirement Fund, and the Austin Police Retirement System.

Item(s) from Council

18. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.
19. Approve a resolution directing the City Manager to develop recommendations for creating a comprehensive, community-wide resilience plan, and supporting the general tenants of the Green New Deal.

Sponsors: Council Member Leslie Pool, Council Member Kathie Tovo, Council Member Paige Ellis, and Council Member Alison Alter

20. Approve a resolution directing the City Manager to include an analysis of transportation electrification and action planning in the next update to the City's Community Climate Plan.

Sponsors: Council Member Alison Alter, Council Member Paige Ellis, Council Member Ann Kitchen, Council Member Leslie Pool, and Council Member Kathie Tovo

Item(s) to Set Public Hearing(s)

21. Set a public hearing related to an application by LDG Development, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Norwood Estates, located at or near 916 and 918 Norwood Park Boulevard in the City of Austin (Suggested date: May 23, 2019 at Austin City Hall, 301 W. 2nd Street, Austin, TX).
22. Set a public hearing related to an application by Generation Housing Development, LLC, or an affiliated entity, for housing tax credits for the construction of a multi-family development to be known as Heritage Estates, located at or near 14101 Owen Tech Boulevard, in the City's extraterritorial jurisdiction (Suggested date: May 23, 2019, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).

Non-Consent

10:30 AM - Austin Housing and Finance Corporation Meeting

23. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <http://austintexas.gov/departments/city-council/2019/20190509-ahfc.htm>)

12:00 PM - Citizen Communications: General

Travis Jones – Sustainable Buildings at no cost to the City of Austin.

Wendy Murphy – Animal Services

Terry Colgan – TBD

Erin Van Landingham – Austin Animal Center

Katie Deollos – Rehumanizing Mobility

Silver White Mountain – TBD

Chester Martel – Abandoned Vehicles

Executive Session

24. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
25. Consider matters related to Austin Energy generation resources (Certain Public Power Utilities: Competitive Matters - Section 551.086 of the Government Code).

Public Hearings and Possible Actions

26. Conduct a public hearing to receive citizen input on the City's Draft Fiscal Year 2019-2024 Consolidated Plan and Fiscal Year 2019-2020 Annual Action Plan, which together serve as planning documents for the City and as an application for federal funding.
27. Conduct a public hearing and consider an ordinance amending City Code Title 25 (Land Development Code) to establish a residential affordable housing development bonus program; authorize certain modifications, waivers, and requirements related to site development regulations; and create an offense and corresponding penalty.

2:00 PM - Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

28. C14-2018-0115 - Sigma Chi Fraternity - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2701 Nueces Street (Waller Creek Watershed). Applicant Request: To rezone from multifamily residence - moderate-high density - conditional overlay - neighborhood plan (MF-4-CO-NP) combining district zoning to multifamily residence - moderate-high density - neighborhood plan (MF-4-NP) combining district zoning as amended. First Reading approved on March 28, 2019. Vote: 11-0. Owner/Applicant: Alpha Nu Chapter of Sigma Chi (Linden Welsch). Thrower Design (Victoria Haase). City Staff: Scott Grantham, 512-974-3574.

District(s): District 9

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

29. NPA-2017-0016.03 - 3232 & 3306 East Cesar Chavez Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3232 & 3306 East Cesar Chavez Street (Colorado River Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on May 14, 2019. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 3

30. C14-2017-0138 -3232 and 3306 East Cesar Chavez Rezoning- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3232 and 3306 East Cesar Chavez Street (Colorado River Watershed). Applicant Request: To rezone from limited industrial-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to multifamily residence highest density-conditional overlay-neighborhood

plan (MF-6-CO-NP) combining district zoning and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on May 14, 2019. Owner/Applicant: The Betty Sue Kurtz Trust and The Thelma Ann Zirkelbach Trust. Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Heather Chaffin, 512 974-2122.

District(s): District 3

31. C14-96-0007.01 - Samsung Austin Semiconductor PDA Amendment #1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12100 Samsung Boulevard (Harris Branch Watershed). Applicant Request: To rezone from limited industrial-planned development area (LI-PDA) combining district zoning to limited industrial-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. Owner/Applicant: Samsung Austin Semiconductor, LLC. Agent: 2P Consultants, LLC (David Urban, PE). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 1

32. C14-2018-0124- River Place - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as Milky Way Drive (West Bull Creek Watershed). Applicant Request: To rezone from development reserve (DR) district zoning to single-family residence-large lot-conditional overlay (SF-1-CO) combining district zoning. Staff Recommendation: To grant single-family residence-large lot-conditional overlay (SF-1-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: Milky Way Holdings GP, LLC (Garrett S. Martin). Agent: McLean & Howard, LLP (Jeff Howard). City Staff: Sherri Sirwaitis, 512-974-3057. Related to Item #10.

District(s): District 6; District 10

33. C14-2018-0141 - 1907 Inverness Zoning Change - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1907 Inverness Boulevard (Williamson Creek Watershed). Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning, as amended. Staff Recommendation and Planning Commission Recommendation: To grant neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Owner/Applicant: Marquee Investments, LLC (Alex Bahrami). Agent: Austex Building Consultants (Jonathan Perlstein). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

District(s): District 5

34. C14-2018-0126 -Pioneer Hill Apartments-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1420 Dessau Road (Walnut Creek Watershed). Applicant Request: From limited industrial services-conditional overlay (LI-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: To grant multifamily residence-moderate high density-conditional overlay (MF-4-CO) combining district zoning. Owner: F C Morse Jr. Exempt Family Trust, Et. al (Scott Morse). Applicant: Three Hills Land, LLC (Ross Hamilton) Agent: Alice Glasco Consulting (Alice Glasco,). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

35. C14-2018-0108 - Airport Gateway, Lots 1, 5 and 6 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3112 Caseybridge Court (Carson Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and limited industrial services-conditional overlay-neighborhood overlay (LI-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning, to change a condition of zoning, with conditions. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning, to change a condition of zoning, with conditions. Owner/Applicant: Airport Gateway LP (Kenneth R. Satterlee). Agent: Land Strategies (Erin Welch). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

36. C14-2018-0109 - Airport Gateway, Lot 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3111 Caseybridge Court (Carson Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, to change a condition of zoning, with conditions. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, to change a condition of zoning, with conditions. Owner/Applicant: Airport Gateway LP (Kenneth R. Satterlee). Agent: Land Strategies (Erin Welch). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

5:30 PM - Live Music

Mother Rukkus

5:30 PM – Proclamations

Proclamation – National Salvation Army Week – To be presented by Council Member Kathie Tovo

Proclamation – Joanna Wolaver Day – To be presented by Council Member Leslie Pool and to be accepted by the honoree.

Distinguished Service Award – Tim Hamblin – To be presented by Council Member Jimmy Flannigan and to be accepted by the honoree.

Proclamation – Lemonade Day – To be presented by Council Member Jimmy Flannigan and to be accepted by Morgan Briscoe.

Proclamation – Building Safety Month – To be presented by Mayor Steve Adler.

Proclamation – Public Service Recognition Day – To be presented by Mayor Steve Adler and to be accepted by City Manager Spencer Cronk.

Proclamation – Reporte Austin 5th Anniversary – To be presented by Council Member Greg Casar and to be accepted by Mario Tapia, Reporte Austin.

Proclamation – Mental Health Month – To be presented by Council Member Harper-Madison and to be accepted by Corie Cormie, Kids Living Well.

Adjourn

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