

**AUSTIN CITY COUNCIL
MINUTES****WORK SESSION MEETING
TUESDAY, AUGUST 6, 2019**

The City Council of Austin, Texas convened in a Work Session Meeting on Tuesday, August 6, 2019, City Hall at 301 W. Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 9:06 a.m. Council Member Pool was absent.

BRIEFINGS

- B1. Briefing by Travis County Clerk's Office regarding the November 2019 election.
Presentation was made by Dana DeBeauvoir, Travis County Clerk.

COUNCIL ITEMS OF INTEREST

30. Approve an ordinance authorizing the City Manager to negotiate and execute an amended and restated agreement with the Zilker Botanical Garden Conservancy (Conservancy) to authorize the Conservancy to manage and operate the Zilker Botanical Garden admissions; and amending the schedule of Fees and Fines and Other Charges to be set or charged by the City (Ordinance No. 20180911-002) to increase the fee charged for admission for visitors who are not Conservancy members. District(s) Affected: District 8.
19. Authorize negotiation and execution of an interlocal agreement with Austin Travis County Mental Health Mental Retardation Center dba Integral Care for integrated mental health and substance use disorder treatment services for indigent citizens and other eligible clients within the Downtown Austin Community Court, for an initial 12-month term beginning on October 1, 2019 and four 12-month renewal options, each in an amount not to exceed \$543,427, for a total agreement amount not to exceed \$2,717,135.

BRIEFINGS

- B2. Staff Update on Land Development Code Revision.
Presentation was made by Rodney Gonzales, Assistant City Manager; Annick Beaudet, Assistant Director, Transportation Department; Brent Lloyd, Development Officer, Development Services Department.
- B3. Staff Update on homelessness issues.
Presentation was made by Rodney Gonzales, Assistant City Manager; Kristi Samilpa, Business Process Consultant, City Manager's Office; Stephanie Hayden, Director, Health and Human Services Department.

- B4.** Staff Update on budget process.
Presentation was made by Ed Van Eenoo, Deputy Chief Financial Officer, Budget Office.

COUNCIL ITEMS OF INTEREST CONTINUED

- 39.** Approve an ordinance amending the Fiscal Year 2018-2019 Schedule of Fees, Fines, and Other Charges to be set or charged by the City (Ordinance No. 20180911-002) by reducing all Farmers Market Fees (Class A, B and C) in compliance with Senate Bill 932 of the 86th Legislature.
- 61.** Authorize negotiation and execution of a contract with HHM & Associates, Inc., to provide a historic building survey for University, Windsor and Hyde Park areas, for a term of one year in an amount not to exceed \$160,387. (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). District(s) Affected: District 1, District 4, District 9
- 71.** Approve a resolution relating to the identification of at least 10 locations within the boundaries of I-35, 15th Street, Lady Bird Lake, and Lamar Boulevard that are suitable to install free, ADA compliant, 24-hour drinking fountains; the formulation of a budget estimate for the installation, operations, and maintenance of drinking fountains; and an expedited procurement process. Council Sponsors: Council Member Kathie Tovo, Council Member Sabino 'Pio' Renteria, Council Member Paige Ellis, Council Member Alison Alter, Council Member Leslie Pool.
- 72.** Approve a resolution directing the City Manager to initiate the creation of an economic development entity, including identifying potential funding sources, soliciting stakeholder feedback on the entity's governance and operational structure, and contracting with a subject matter expert to develop an implementation plan; structure the entity to manage a broad range of projects; and bring a recommendation back to Council during the Fiscal Year 2020 budget deliberations. Council Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Council Member Alison Alter, Council Member Ann Kitchen, Council Member Natasha Harper-Madison.
- 77.** Approve a resolution relating to the creation of a local government corporation to address homelessness issues. Council Sponsors: Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Alison Alter, Council Member Sabino 'Pio' Renteria, Mayor Steve Adler
- 78.** Approve a resolution declaring a climate emergency and calling for immediate and coordinated mobilization by the City to address the causes and consequences of climate change and directing the City Manager to take appropriate action. Council Sponsors: Council Member Alison Alter, Council Member Leslie Pool, Council Member Ann. Kitchen Council Member Kathie Tovo, and Council Member Gregorio Casar
- 91.** Conduct a public hearing and consider a resolution to adopt the Land Use Assumptions and Roadway Capacity Plan for a Street Impact Fee program.

100. Conduct a public hearing and consider an ordinance to amend Ordinance No. 20150604-064 by authorizing the addition of new neighborhoods to the Restricted Parking Area Map in accordance with Section 12-5-29 of the City Code, and the removing one neighborhood association from the Restricted Parking Area Map.
131. C14-2019-0068 - SH 45 North Tract - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 14310-15700 North FM 620 Road (Lake Creek Watershed). Applicant Request: To rezone from limited industrial (LI) district zoning, development reserve (DR) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Owner/Applicant: Ivalene Pearson Banks. Agent: McLean & Howard, LLP (Jeff Howard). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.
75. Approve a resolution directing the City Manager to prioritize the completion of the Cypress and Shoal Creek Project (Project); conduct a feasibility and financial analysis of the extension of the Seaholm Tax Increment Financing District (District); and provide Council with, no later than the end of this fiscal year: (1) a written update of the Project and (2) a feasibility and financial analysis of the extension of the District. Council Sponsors: Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Ann Kitchen, Council Member Natasha Harper-Madison, Council Member Alison Alter.
92. Conduct a public hearing and consider an ordinance amending City Code Section 25-2-1205 (Site Development Regulations for Mobile Home Parks) to allow recreational vehicles in mobile home parks.
107. C14-2018-0028 - E. Riverside Dr. and S. Pleasant Valley Rd. Tracts 1 & 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1109 and 1225 South Pleasant Valley Road (Country Club West Watershed). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from urban residential (UR) to corridor mixed use (CMU), with conditions. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU) on a portion of Tracts 1 & 2, with conditions. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU), with conditions. Owner/Applicant: NRE Town Lake Property Owner, LLC and Ballpark Austin, LLC (Andrew Winograd). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Jerry Rusthoven, 512-974-3207. District(s) Affected: District 3.
108. C14-2018-0027 - E. Riverside Dr. and S. Pleasant Valley Rd. Tracts 3 & 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4700 East Riverside Drive and 1515 Wickersham Lane (Country Club West Watershed). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) and urban residential (UR) to corridor mixed use (CMU), with conditions. Staff Recommendation and Planning Commission Recommendation: To grant East Riverside Corridor

- (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU), with conditions. Owner/Applicant: NRE Zone, LLC and NRE Edge, LLC (Mark Farrell). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Jerry Rusthoven, 512-974-3207. District(s) Affected: District 3.
- 109.** C14-2018-0026 - E. Riverside Dr. and S. Pleasant Valley Rd. Tract 4 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1600 Wickersham Lane (Country Club West Watershed). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) to corridor mixed use (CMU), with conditions. Staff Recommendation and Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU), with conditions. Owner/Applicant BP Riverside West, LLC (Mark Farrell). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Jerry Rusthoven, 512-974-3207. District(s) Affected: District 3.
- 110.** C14-97-0010 (RCT) E. Riverside Dr. and S. Pleasant Valley Rd. Tract 4-Conduct a public hearing and approve a restrictive covenant termination on a property locally known as 1600 Wickersham Lane (Country Club West Watershed). Applicant request: To terminate the public restrictive covenant associated with zoning case C14-2018-0026. Staff recommendation and Planning Commission recommendation: To grant the restrictive covenant termination. Owner/Applicant: BP Riverside West, LLC (David Nazarian). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Jerry Rusthoven, (512) 974-3207. District(s) Affected: District 3.
- 111.** C14-72-204(RCA5) E. Riverside Dr. and S. Pleasant Valley Rd. Tracts 1-5- Conduct a public hearing and approve a restrictive covenant amendment on a property locally known as 1109 and 1225 South Pleasant Valley Road, 4700 East Riverside Drive, 1515 and 1600 Wickersham Lane (Country Club West Watershed). Applicant request: To amend the public restrictive covenant associated with zoning cases C14-2018-0026, C14-2018-0027, and C14-2018-0028. Staff and Planning Commission recommendation: To grant the restrictive covenant amendment. Owner/Applicant: NRE Town Lake Property Owner, LLC (Andrew Winograd); Ballpark Austin, LLC (Andrew Winograd); NRE Zone, LLC (Mark Farrell); NRE Edge, LLC (Mark Farrell) and BP Riverside West, LLC (Mark Farrell). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Jerry Rusthoven, (512) 974-3207. District(s) Affected: District 3.
- 123.** C14-2019-0041 - 3706 Goodwin- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3706 Goodwin Avenue (Boggy Creek Watershed) from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To deny to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner/Applicant: GBME LLC (Matt Albrecht). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District.

99. Conduct a public hearing and consider an appeal of the Planning Commission's decision to deny a Conditional Use Site Plan application for a Cocktail Lounge at 1300 E. 4th St. (SPC-2018-0478A - Plaza Saltillo Block E Texaco). District(s) Affected: District 3.

COUNCIL DISCUSSION

- D1. Discuss membership and chair and vice-chair designations for the Austin Utility Oversight committee.
No action was taken.

Mayor Adler recessed the Council meeting to go into Executive Session at 12:08 p.m.

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.

- E1. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
Withdrawn
- E2. Discuss legal issues related to the November 2019 election. (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E3. Discuss matters related to Austin Energy generation resources (Certain Public Power Utilities: Competitive Matters - Section 551.086 of the Government Code).
- E4. Discuss legal issues related to legislation enacted by the 86th Legislature. (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E5. Discuss legal issues related to Flores v. City of Austin, Cause No. C-1-CV-18-009175, in the County Court at law No. 1, Travis County, Texas (Private consultation with legal counsel-Section 551.071 of the Government Code).
Withdrawn

Council Member Tovo adjourned the meeting at 3:15 p.m. without objection.

The minutes were approved on this the 22nd day of August 2019 on Council Member Harper-Madison's motion, Council Member Alter's second on a 11-0 vote.