

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, FEBRUARY 20, 2020****Invocation: Pastor Lee Lever from the Austin Mennonite Church**

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, February 20, 2020 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:18 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of February 4, 2020, special called of February 5, 2020, regular meeting of February 6, 2020.
The motion to approve the minutes of the Austin City Council work session of February 4, 2020, special called of February 5, 2020, regular meeting of February 6, 2020 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.
2. Authorize payment for the Department of Aviation's membership in the Airports Council International - North America (ACI-NA) and other programs led by ACI-NA, in an amount not to exceed \$75,000. Council Sponsors: Mobility.
The motion authorizing payment for the Department of Aviation's membership in the Airports Council International - North America (ACI-NA) was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

Item 3 was pulled for discussion.

4. Authorize award and execution of a construction contract with M.A. Smith Contracting Company, Inc., for the Williamson Creek - Bitter Creek Tributary Channel Rehabilitation project, in the amount of \$2,969,736 plus a \$296,973 contingency, for a total contract amount not to exceed \$3,266,709. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by

meeting the goals with 8.38% MBE and 1.46% WBE participation.] Council Sponsors: Government That Works for All, Health and Environment. District(s) Affected: District 2.

The motion authorizing the award and execution of a construction contract with M.A. Smith Contracting Company, Inc. was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

5. Approve a resolution finding the use of the Design-Build method of contracting, 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 Mueller Energy Center #2 for the construction of a new 4000-ton chilled water plant. (Note: MBE/WBE goals will be established prior to issuance of this solicitation.) Council Sponsors: Government That Works for All.

Resolution No. 20200220-005 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

6. Authorize award and execution of a construction contract with Alpha Paving Industries LLC (MBE), for the Asphalt Parking Lot/Roads Construction, Rehab and Repair IDIQ contract, in the amount of \$2,000,000 for an initial two year term, with three possible one year extension options of \$2,000,000 each, for a total contract amount not to exceed \$8,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 3.76% MBE and 0.27% WBE participation.] Council Sponsors: Mobility.

The motion authorizing the award and execution of a construction contract with Alpha Paving Industries LLC was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

7. Authorize award and execution of a construction contract with M.A. Smith Contracting Company, Inc., for the Boggy Creek-MLK TOD Stormwater Conveyance Improvements Phase 1 project, in the amount of \$2,822,174.75 plus a \$141,108.74 contingency, for a total contract amount not to exceed \$2,963,283.49. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.35% MBE and 2.65% WBE participation.] Council Sponsors: Mobility, Safety. District(s) Affected: District 5.

The motion authorizing the award and execution of a construction contract with M.A. Smith Contracting Company, Inc. was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

Item 8 was pulled for discussion.

9. Authorize negotiation and execution of a professional services agreement with Lord Aeck and Sargent, Inc., (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP282, to provide architectural design services for the Faulk

Library/History Center and Archival Repository Expansion project, in amount not to exceed \$1,600,000. [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 17.40% MBE and 16.10% WBE participation.] Council Sponsors: Government That Works for All, Culture and Lifelong Learning. District(s) Affected: District 9.

The motion authorizing negotiation and execution of a professional services agreement with Lord Aeck and Sargent, Inc. was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

10. Authorize negotiation and execution of an amendment to the professional services agreement with McKinney Architects Inc. D/B/A McKinney York Architects, for additional architectural services for the Montopolis Recreation and Community Center, in the amount of \$45,037, for a total contract amount not to exceed \$1,333,037. [Note: This amendment will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 41.09% MBE and 10.03% WBE.] Council Sponsors: Culture and Lifelong Learning.

The motion authorizing negotiation and execution of an amendment to the professional services agreement with McKinney Architects Inc., doing business as McKinney York Architects, was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

11. Approve a resolution finding the use of the Construction Manager-at-Risk method of contracting, as authorized by Subchapter F, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the Emma S. Barrientos Mexican American Cultural Center for renovations and additions to the existing facilities. (Note: MBE/WBE goals will be established prior to issuance of this solicitation.) Council Sponsors: Culture and Lifelong Learning.

Resolution No. 20200220-011 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

12. Authorize negotiation and execution of a design build agreement with SpawGlass Construction, Co., for design and construction services for the Dove Springs Public Health Neighborhood Center project, in an amount not to exceed \$12,200,000. 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 14.40% MBE and 5.00% WBE participation. District(s) Affected: District 2.

The motion authorizing negotiation and execution of a design build agreement with SpawGlass Construction, Co. was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

13. Authorize negotiation and execution of an agreement with Front Steps, Inc. to provide permanent supportive housing services, for an initial seven month term ending September 30, 2020, in an

amount not to exceed \$250,000, with four 12-month renewal options not to exceed \$500,000 per option, for a total contract amount not to exceed \$2,250,000. Council Sponsors: Economic Opportunity and Affordability.

The motion authorizing negotiation and execution of an agreement with Front Steps, Inc. was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

14. Approve a resolution to nominate Spansion LLC for designation by the Governor's Office of Economic Development and Tourism as a single Texas Enterprise Project in accordance with Chapter 2303 of the Texas Government Code. Council Sponsors: Economic Opportunity and Affordability.

Resolution No. 20200220-014 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 9-1 vote. Council Member Pool voted nay. Mayor Pro Tem Garza was off the dais.

Item 15 was pulled for discussion.

16. Authorize an amendment to a legal services contract with Lloyd Gosselink Rochelle & Townsend, P.C for services related to Tabrizi v. City of Austin, Cause No. D-1-17-001028 in the 250th Judicial District Court of Travis County, Texas ., in the amount of \$197,000 for a total contract amount not to exceed \$258,000. Council Sponsors: Government That Works for All.

The motion authorizing an amendment to a legal services contract with Lloyd Gosselink Rochelle & Townsend, P.C was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

17. Approve a resolution declaring a need for the Housing Authority of Travis County, a Texas county housing authority, to develop multi-family dwelling units (to be known as Apartments at Tech Ridge), located at or near Tech Ridge Boulevard and Interstate Highway 35 north-bound, within the city limits; and authorizing a cooperation agreement between the City and the Housing Authority of Travis County. Council Sponsors: Economic Opportunity and Affordability. District(s) Affected: District 1, District 7.

Resolution No. 20200220-017 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

18. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$34,000,000 to finance, in part, the new construction of an affordable rental development located at or near 8407, 8509, and 8521 East Parmer Lane, Austin, Texas 78653. Council Sponsors: Economic Opportunity and Affordability.

Resolution No. 20200220-018 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

19. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 3.695 acres out of the Santiago Del Valley Grant, Abstract No. 24, in Travis County, Texas, located East of S. Pleasant Valley Road and N. Ben White, Austin, Texas from Plateau Range, Ltd., a Texas limited partnership, for a total amount not to exceed \$251,483, including closing costs. Council Sponsors: Culture and Lifelong Learning. District(s) Affected: District 3.
The motion authorizing negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 3.695 acres was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.
20. Authorize negotiation and execution of a lease amendment to extend the lease term for an additional 60 months for Suite 170, located at the Bergstrom Tech Center, 6800 Burleson Road, Building 312, Austin, Texas, and consisting of 6,929 rentable square feet which will serve as a child care facility, in an amount of \$1,592,701, with CCI-Burleson I, LP, a Texas Limited Partnership, for a total amount not to exceed \$2,826,271. Council Sponsors: Economic Opportunity and Affordability. District(s) Affected: District 2.
The motion authorizing negotiation and execution of a lease amendment with CCI-Burleson I, LP was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.
21. Authorize the execution of Amendment No. 1 to the Parkland Improvement, Management, and Operations Agreement for Republic Square Park between the City, Austin Parks Foundation, and the Downtown Austin Parks, LLC, related to landscaping, waste, recycling, and utilities for an additional amount not to exceed \$14,000 annually. Council Sponsors: Culture and Lifelong Learning. District(s) Affected: District 9.
The motion authorizing the execution of Amendment No. 1 to the Parkland Improvement, Management, and Operations Agreement between the City, Austin Parks Foundation, and the Downtown Austin Parks, LLC was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.
22. Authorize negotiation and execution of an agreement with the Austin-Travis County Collaborative for the provision and coordination of Census 2020 outreach and education services in an amount not to exceed \$200,000. Council Sponsors: Government That Works for All.
The motion authorizing negotiation and execution of an agreement with the Austin-Travis County Collaborative was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 9-0 vote. Mayor Adler abstained. Mayor Pro Tem Garza was off the dais.
23. Authorize negotiation and execution of an interlocal agreement with Travis County to coordinate Census 2020 outreach and education services by hiring a program manager. Council Sponsors: Government That Works for All.

The motion authorizing negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

24. Approve a resolution authorizing the acceptance of \$289,777 in grant funding from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project titled the Crime Lab Enhancement Project. Related to Council item 25. Council Sponsors: Safety.

Resolution No. 20200220-024 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

25. Approve an ordinance authorizing acceptance of \$89,777 in additional grant funds from the State of Texas, Office of the Governor, Criminal Justice Division, Coverdell National Forensic Sciences Improvement Act Fund; and amending the Fiscal Year 2019-2020 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to appropriate \$89,777 for the Crime Lab Enhancement Project. Related to Council item 24. Council Sponsors: Safety.

Ordinance No. 20200220-025 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

26. Authorize negotiation and execution of Amendment No. 6 with The Salvation Army, Georgia Corporation, for shelter operations and modifications at the Downtown Shelter and Social Service Center, increasing grant funding in an amount not to exceed \$108,000 for a total agreement amount not to exceed \$1,446,912. Council Sponsors: Economic Opportunity and Affordability.

The motion authorizing negotiation and execution of Amendment No. 6 with The Salvation Army, Georgia Corporation was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

27. Authorize negotiation and execution of amendments to contracts for the provision of HIV-related medical and support services for the Ryan White Part A Program , to increase funding for a 12-month term beginning March 1, 2020 with the following subrecipient-providers: AIDS Services of Austin, Inc. in an amount not to exceed \$1,890,232, for a total contract amount not to exceed \$7,056,428; Austin Travis County Mental Health Mental Retardation Center dba Integral Care in an amount not to exceed \$417,314, for a total contract amount not to exceed \$1,581,838; Community Action Inc. of Central Texas in an amount not to exceed \$66,587, for a total contract amount not to exceed \$239,601; Central Texas Community Health Centers in an amount not to exceed \$1,999,524, for a total contract amount not to exceed \$7,635,851; Project Transitions Inc. in an amount not to exceed \$152,331, for a total contract amount not to exceed \$622,445; Waterloo Counseling Center in an amount not to exceed \$63,093, for a total contract amount not to exceed \$389,235; and Wright House Wellness Center in an amount not to exceed \$360,257, for a total contract amount not to exceed \$1,400,094. Council Sponsors: Health and Environment.

The motion authorizing negotiation and execution of amendments to contracts for the provision of HIV-related medical and support services for the Ryan White Part A Program with AIDS Services of Austin, Inc.; Austin Travis County Mental Health Mental Retardation Center doing business as Integral Care; Community Action Inc. of Central Texas; Central Texas Community Health Centers; Project Transitions Inc.; Waterloo Counseling Center; and Wright House Wellness Center was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

28. Authorize negotiation and execution of an Advance Funding Agreement with Texas Department of Transportation for the relocation of existing utility lines in conflict with the Oak Hill Parkway Improvements Project, for a total amount not to exceed \$24,772,144.03. Council Sponsors: Mobility.

The motion authorizing negotiation and execution of an Advance Funding Agreement with Texas Department of Transportation was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

29. Authorize award of a multi-term contract with Core and Main, L.P., to provide polyvinyl chloride wastewater line fittings, for up to five years for a total contract amount not to exceed \$1,378,000. (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. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). February 12, 2020 – Recommended by the Water and Wastewater Commission on a 7-0 vote with Commissioners Ho, Michel, and Schmitt absent, and Commissioner Parton off the dais. Council Sponsors: Government That Works for All.

The motion authorizing the award of a multi-term contract with Core and Main, L.P. was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

Item 30 was pulled for discussion.

31. Authorize an amendment to the existing contract with West Monroe Partners LLC, for continued consulting services to assist in the next phases of advanced meter infrastructure program management, for an increase in the amount of \$6,355,000, for a revised contract amount not to exceed \$8,456,000. (Note: This contract was awarded in compliance with City Chapter 2-9C Minority Owned and Women Owned Business Enterprise Program. Current participation to date is 12.20% MBE and 1.88% WBE). February 12, 2020 – Recommended by the Water and Wastewater Commission on a 7-0 vote with Commissioners Ho, Michel, and Schmitt absent, and Commissioner Parton off the dais. Council Sponsors: Government That Works for All.

The motion authorizing an amendment to the existing contract with West Monroe Partners LLC was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

32. Authorize award of four multi-term contracts with Delta Fire & Safety D/B/A Delta Industrial Service & Supply; Metro Fire Apparatus Specialist Inc.; Municipal Emergency Services Inc.; and Safeware Inc.; for operations support and rescue equipment, each for up to five years for total amounts not to exceed \$2,238,010, divided among 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). Council Sponsors: Safety.

The motion authorizing the award of four multi-term contracts with Delta Fire & Safety, doing business as Delta Industrial Service & Supply; Metro Fire Apparatus Specialist Inc.; Municipal Emergency Services Inc.; and Safeware Inc. was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

33. Authorize negotiation and execution of a multi-term contract with Texan Waste Equipment, Inc. D/B/A Heil of Texas, to provide parts and repair services for refuse collection truck bodies, for up to five years for a total contract amount not to exceed \$4,420,625. (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). Council Sponsors: Government That Works for All.

The motion authorizing negotiation and execution of a multi-term contract with Texan Waste Equipment, Inc. doing business as Heil of Texas was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

34. Authorize negotiation and execution of a multi-term contract with Emancipet, Inc., to provide mobile animal sterilization and other animal related services to residents in Austin and Travis County, for up to five years for a total contract amount not to exceed \$5,600,000. (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 insufficient subcontracting opportunities; therefore, no subcontracting goals were established). Council Sponsors: Health and Environment.

The motion authorizing negotiation and execution of a multi-term contract with Emancipet, Inc. was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

35. Authorize negotiation and execution of two multi-term contracts with Howroyd-Wright Employment Agency Inc. D/B/A AppleOne Employment Services and St. Vincent DePaul Rehabilitation Service of Texas, Inc. D/B/A Peak Performers, to provide temporary staffing services, each for up to five years for total contract amounts not to exceed \$7,500,000, 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). Council Sponsors: Government That Works for All.

The motion authorizing negotiation and execution of two multi-term contracts with Howroyd-Wright Employment Agency Inc. doing business as AppleOne Employment Services and St. Vincent DePaul Rehabilitation Service of Texas, Inc. doing business as Peak Performers was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

36. Authorize negotiation and execution of a multi-term contract with International Training Consortium, Inc., to provide citywide training on implicit bias, for up to two years for a total contract amount not to exceed \$900,000. (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). Council Sponsors: Government That Works for All.
- The motion authorizing negotiation and execution of a multi-term contract with International Training Consortium, Inc. was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.**

Items 37 and 38 were pulled for discussion.

39. Approve an ordinance amending City Code Chapters 2-9A, 2-9B, 2-9C, and 2-9D extending the sunset date of the Minority-Owned and Women-Owned Business Enterprise Procurement Program. Council Sponsors: Economic Opportunity and Affordability.
- Ordinance No. 20200220-039 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.**
40. Approve negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority to purchase transit passes in an amount not to exceed \$700,000 for use in a pilot program to increase transit ridership. Council Sponsors: Mobility, Economic Opportunity and Affordability.
- This item was postponed indefinitely on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.**
41. 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.
- The following appointments and waivers were approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais:**

<u>Board/Nominee</u>	<u>Nominated by</u>
<u>Austin Travis County Food Policy Board</u> Karen Magid	Travis County
<u>Austin Travis County EMS Advisory Board</u> Shandel Milburn	Mayor Adler
<u>Austin Travis County EMS Advisory Board</u> Timothy Ruttan	Mayor Adler
<u>College Student Commission</u> Manthurs Oseni	Austin Community College
<u>Commission on Immigrant Affairs</u> Banafsheh Madaninejad	Council Member Flannigan
<u>Construction Advisory Committee</u> Candelario Vazquez	Council Member Kitchen
<u>Mexican American Cultural Center Advisory Board</u> Ricardo de Jesus Maga Rojas	Council Member Harper-Madison

Waivers

Approve a waiver of the attendance requirement in Section 2-1-26 of the City Code for the service of Curtis Smith on the Environmental Commission. The waiver includes absences through today's date.

Council Committee Appointments**Austin and Finance Committee**

CM Alter – Chair
 CM Pool – Vice Chair
 Mayor Adler
 CM Flannigan
 CM Tovo

Austin Energy Utility Oversight Committee

Committee of the whole
 CM Tovo – Chair
 CM Pool - Vice Chair

Austin Water Oversight Committee

CM Ellis – Chair
 CM Pool – Vice Chair
 CM Kitchen

CM Alter

Health and Human Services Committee

CM Harper-Madison – Chair

Mayor Pro Tem Garza – Vice Chair

CM Tovo

CM Kitchen

Housing and Planning Committee

CM Casar – Chair

CM Ellis – Vice Chair

CM Renteria

CM Kitchen

CM Harper-Madison

Judicial Committee

CM Flannigan – Chair

CM Casar – Vice Chair

CM Harper-Madison

Mayor Pro Tem Garza

Mobility Committee

CM Kitchen - Chair

CM Flannigan - Vice Chair

CM Ellis

MPT Garza

CM Alter

42. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the 13th Annual St. James Missions 5K Run/Walk for Alzheimer's, sponsored by St. James Missionary Baptist Church, to be held on Saturday, March 28, 2020 at St. James Missionary Baptist Church. Council Sponsors: Council Member Natasha Harper-Madison, Council Member Alison Alter, Council Member Kathie Tovo, Council Member Paige Ellis.
- The motion approving the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the 13th Annual St. James Missions 5K Run/Walk for Alzheimer's, to be held on Saturday, March 28, 2020 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.**
43. Approve an ordinance waiving or reimbursing certain fees for the Austin Chinese Culture Festival 2020, sponsored by the Austin Chinese-American Network, that was held on Saturday, February 15, 2020 at Westwood High School. Council Sponsors: Council Member Jimmy Flannigan, Council Member Gregorio Casar, Council Member Alison Alter, Mayor Steve Adler, Mayor Pro Tem Delia Garza.

Ordinance No. 20200220-043 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

The following amounts were added to the fee waiver from the dais:

Council Member Alter +\$200

Council Member Harper-Madison +\$119

Council Member Kitchen +\$119

Council Member Tovo +\$250

Item 44 was pulled for discussion.

45. Approve a resolution directing the City Manager to create an urban trails stakeholder group to examine and make recommendations on how to improve the administrative processes and requirements associated with the design and permitting of urban trails. Council Sponsors: Council Member Paige Ellis, Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Sabino 'Pio' Renteria, Council Member Ann Kitchen.

Resolution No. 20200220-045 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

Items 46 and 47 were pulled for discussion.

48. Set a public hearing to consider an ordinance relating to the 2015 International Wildland-Urban Interface. (Suggested date: March 26, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX). Council Sponsors: Safety.

The public hearing was set on consent for March 26, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

49. Set a public hearing to consider an ordinance regarding floodplain variances to convert a vacant portion of a building into a parking area at 1000 N. Lamar Blvd. that is within the 25-year and 100-year floodplains of Shoal Creek. (Suggested date: March 12, 2020, at Austin City Hall, 301 W. Second Street, Austin, Texas) Council Sponsors: Safety. District(s) Affected: District 9.

The public hearing was set on consent for March 12, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

50. Set a public hearing to consider an ordinance repealing and replacing Article 4 of City Code Chapter 25-12 to adopt the 2020 National Electrical Code and local amendments. (Suggested date: Thursday, April 9, 2020, at Austin City Hall, 301 W. Second Street, Austin, Texas) Council Sponsors: Government That Works for All, Safety.

The public hearing was set on consent for April 9, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

51. Set a public hearing related to an application by Grand Avenue Flats Ltd., 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 Grand Avenue Flats, located at or near the Northeast Corner of FM 1325 and Tandem Road in Austin, Texas, within the City's extraterritorial jurisdiction (Suggested date: Thursday, March 12, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas). Council Sponsors: Economic Opportunity and Affordability.
The public hearing was set on consent for March 12, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.
52. Set a public hearing to consider an application by Cascades at Onion Creek Apartments, L.P., 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 Cascades at Onion Creek Apartments, located at or near Lot 2, Block U, Cascades at Onion Creek West, Phase One, within the city limits (Suggested date: Thursday, March 12, 2020, Austin City Hall, 301 W. 2nd Street, Austin, Texas). Council Sponsors: Economic Opportunity and Affordability. District(s) Affected: District 5.
The public hearing was set on consent for March 12, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.
53. Set a public hearing to consider an ordinance approving a Project Consent Agreement waiving or modifying provisions of City Code Title 25, including Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative), to allow construction of a mixed-use residential project at 17415 Southwest Parkway in the East Oak Hill Neighborhood Planning Area. This action concerns land located in the Barton Springs zone. (Suggested date March 12, 2020, at Austin City Hall, 301 West Second Street, Austin, TX.) Council Sponsors: Health and Environment. District(s) Affected: District 8.
This item was withdrawn.

Item 78 and 79 were pulled for discussion.

80. Approve an ordinance amending City Code Title 10 (Public Health Services and Sanitation) relating to the lawful age for the sale or delivery of cigarettes, tobacco products, or electronic smoking devices in compliance with Federal law. Council Sponsors: Health and Environment.
Ordinance No. 20200220-080 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.
81. Approve an ordinance vacating an approximately 572 square foot tract of right-of-way of the alley abutting 809 East 9th Street to the Guadalupe Neighborhood Development Corporation, 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 for \$0.00. Council Sponsors: Council Member Natasha

Harper-Madison, Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Sabino 'Pio' Renteria, Council Member Leslie Pool.

Ordinance No. 20200220-081 was approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

Item 82 was pulled for discussion.

83. Set a public hearing to consider an ordinance approving a Project Consent Agreement waiving or modifying provisions of City Code Title 25, including Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative), to allow construction of a mixed-use residential project at 7415 Southwest Parkway in the East Oak Hill Neighborhood Planning Area. This action concerns land located in the Barton Springs zone. (Suggested date March 12, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX.) Council Sponsors: Health and Environment.

The public hearing was set on consent for March 12, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

DISCUSSION ITEMS

15. Approve a resolution updating the City of Austin's Public Improvement District Policy. Council Sponsors: Government That Works for All.
A motion to approve the resolution was made by Council Member Tovo and seconded by Council Member Pool.

The following amendment was offered by Council Member Tovo and accepted without objection. The amendment was:

On page 3 of the draft Public Improvement Policy add the following new number six and renumber subsequent requirements accordingly:

- "6. Disclosure of any proposed improvements within the Public Improvement District that are anticipated to be developed under regulations other than the regulations in effect at the time a development application for the improvements is filed."**

Resolution No. 20200220-015 was approved as amended above on Council Member Tovo's motion, Council Member Pool's second on a 9-0 vote. Council Member Ellis abstained. Mayor Pro Tem Garza was off the dais.

30. Authorize negotiation and execution of a ten-year multi-term contract with Aclara Technologies, LLC to provide an Advanced Meter Infrastructure system; a five-year multi-term contract with Aclara Technologies, LLC to provide AMI meters, meter installation, a data platform and integration; and a five-year multi-term contract with Watersmart Software, Inc. to provide a customer portal; for total contract amounts not to exceed \$95,000,000 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 and subcontractor goals were applied to the solicitation. Subcontractor goals were exceeded, and the resulting contracts will include 18.84% MBE and 32.41% WBE for the advanced meter infrastructure category and 32.41% MBE/WBE combined participation for the meter installation category). February 12, 2020 – Recommended by the Water and Wastewater Commission on a 7-1 vote with Commissioners Ho, Michel, and Schmitt absent. Council Sponsors: Government That Works for All.

A motion to approve contract for negotiation only was made by Council Member Tovo.

Direction was given to staff that the contract be brought to the Austin Water Oversight Committee for review prior to a final Council vote on contract execution.

The motion authorizing the negotiation of a ten-year multi-term contract with Aclara Technologies, LLC; a five-year multi-term contract with Aclara Technologies, LLC; and a five-year multi-term contract with Watersmart Software, Inc. was approved on Council Member Tovo's motion on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

78. Authorize negotiation and execution of the Fourth Amendment to the Brackenridge Development Agreement regarding property located near the intersection of Lake Austin Boulevard and Exposition Boulevard with the Board of Regents of the University of Texas System to extend the term of the Agreement beyond the current May 25, 2020 termination date on a month to month basis. Council Sponsors: Government That Works for All.

The motion authorizing negotiation and execution of the Fourth Amendment to the Brackenridge Development Agreement with the Board of Regents of the University of Texas System was approved on Council Member Alter's motion, Mayor Adler's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

79. Authorize negotiation and execution of the Fifth Amendment to the Lease Agreement for the Lions Municipal Golf Course located near the intersection of Lake Austin Boulevard and Exposition Boulevard with the Board of Regents of the University of Texas System to extend the term of the Lease beyond the current May 25, 2020 termination date on a month to month basis. Council Sponsors: Government That Works for All.

The motion authorizing negotiation and execution of the Fifth Amendment to the Lease Agreement for the Lions Municipal Golf Course with the Board of Regents of the University of Texas System was approved on Council Member Alter's motion, Mayor Adler's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

44. Approve a resolution directing the City Manager to implement certain recommendations of the South Central Waterfront Vision Framework Plan. Council Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Council Member Ann Kitchen, Council Member Alison Alter, Council Member Sabino "Pio" Renteria.

Resolution No. 20200220-044 was approved on Council Member Tovo's motion, Council Member Pool's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

3. Authorize negotiation and execution of a concession agreement with MAG US Lounge Management LLC to lease, design, construct, operate, and maintain a Shared Use Lounge Service

Concession at Austin-Bergstrom International Airport (RFP-8100-ABIA-005). (Note: This contract will be awarded in compliance with 49 CFR Part 23 - Airport Concessions Disadvantaged Business Enterprise program by meeting goal with 13% participation.). Council Sponsors: Mobility.

This item was withdrawn without objection.

Direction was given to staff to schedule a work and executive session for Council discussion when this item is brought back before Council; to ensure the posting language is broad enough to give Council more flexibility in awarding the contract; and to provide additional backup information on the evaluation of the proposals.

CITIZEN COMMUNICATIONS: GENERAL

Jose Corona – Aviation Safety

Dolly Ensey – Illicit truck traffic on East 38 ½ St

Elvia Morales-Andarza – TBD

Michael Abelson – Rainey District

Jeffrey Jacoby – Travis County Landfill

Adham Lel-Effendi – Aviation Safety

Julian Reyes – TBD – **Not present**

Albert Dennington – Aviation Safety – **Not present**

Pat Valls-Trelles – Animal Services

Wendy Murphy – Animal Services

Council Member Tovo recessed the meeting at 12:42 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.

57. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).

Withdrawn.

58. Discuss real estate and legal matters related to the purchase, exchange, lease or value of an interest in real property and improvements commonly known as the Palm School, located at 100 North IH-35 in Austin, Texas 78701 (Real property -Section 551.072 of the Government Code and Private consultation with legal counsel -Section 551.071 of the Government Code).
Conducted.
59. Discuss legal issues related to Zaatari et al v. City of Austin et al, Cause No. D-1-GN-65-002620 in the 53rd Judicial District of Travis County, Texas; No. 03-17-00812-CV in the Third Court of Appeals, Travis County, Texas (Private consultation with legal counsel-Section 551.071 of the Government Code).
Conducted.
84. Discuss real estate and legal matters related to the purchase, exchange, lease, or value of real property locally known as the Lions Municipal Golf Course, generally located at the intersection of Lake Austin Boulevard and Exposition Boulevard (Real property - Section 551.072 of the Government Code and Private consultation with legal counsel - Section 551.071 of the Government Code).
Withdrawn.

Mayor Adler reconvened the Council Meeting at 2:36 p.m.

ZONING ORDINANCES / RESTRICTIVE COVENANTS

60. NPA-2017-0018.01 -2106 Payne - Approve second and third readings of an ordinance amending Ordinance No. 20040513-30 the Brentwood/Highland 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 2106 Payne Avenue (Shoal Creek Watershed) from Single Family to Mixed Use/Office land use. First Reading approved on January 23, 2020. Vote 9-0. Mayor Adler absent. Council Member Flannigan off the dais. Owner/Applicant: Arch Properties, Inc. Trustee. Agent: Daniel McFarland. City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 7.
Ordinance No. 20200220-060 to change the land use designation on the future land use map (FLUM) to Mixed Use/Office land use was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.
61. C14-2019-0053 - 2106 Payne - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2106 Payne Avenue (Shoal Creek Watershed). Applicant Request: To rezone from family residence - neighborhood plan (SF-3-NP) combining district zoning to neighborhood office - mixed use - neighborhood plan (NO-MU-NP) combining district zoning. First Reading approved on January 23, 2020. Vote 9-0. Mayor Adler absent. Council Member Flannigan off the dais. Owner/Applicant: ARCH Properties (Daniel McFarland). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 7.
Ordinance No. 20200220-061 for neighborhood office - mixed use - neighborhood plan (NO-MU-NP) combining district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

62. C14-2019-0152-Castle East-Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1109 West 11th Street (Shoal Creek Watershed). Applicant Request: To rezone from multifamily residence high density-conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning to multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation: To grant multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: East Castle Holdings, LLC (Victor Ayad). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 9.
- A motion to postpone this item to April 23, 2020 at the request of the applicant was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on a 11-0 vote.**
64. C14-2019-0153-Old Koenig V Rezone- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 900 Old Koenig Lane (Shoal Creek Watershed; Waller Creek Watershed). Applicant Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP). Owner/Applicant: HMZ Holdings LLC (Zaid Hakkak). Agent: Land Answers, Inc. (Jim Witliff). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 7.
- The public hearing was conducted and a motion to approve the ordinance on first reading for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.**
65. C14-2019-0156-707 Rio Grande Street- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 707 Rio Grande Street (Shoal Creek Watershed). Applicant Request: To rezone from general office (GO) district zoning to downtown mixed use-conditional use (DMU-CO) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant downtown mixed use-conditional use (DMU-CO) combining district zoning. Owner/Applicant Rio Grande Street Partners, LP (Diana G. Zuniga). Agent: Jackson Walker LLP (Pam Madere). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 9.
- The public hearing was conducted and a motion to approve the ordinance on first reading for downtown mixed use-conditional use (DMU-CO) combining district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on a 10-1 vote. Council Member Flannigan voted nay.**

66. C14-2019-0163-Medical Offices- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3405 Glenview Avenue (Shoal Creek Watershed). Applicant Request: To rezone from neighborhood office-neighborhood plan (NO-NP) combining district zoning to limited office-neighborhood plan (LO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Owner/Applicant: Alchemy Wellness Building, LLC (Saima Jehangir). Agent: Carlson Law, PLLC (Michelle Carlson). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 10.
The public hearing was conducted and a motion to approve the ordinance on first reading for limited office-neighborhood plan (LO-NP) combining district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.
67. C14-2019-0165 - 6207 Ross Road - District 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6207 Ross Road (Dry Creek East Watershed). Applicant Request: To rezone from single-family residence small lot (SF-4A) district zoning to multifamily residence moderate-high density (MF-4) district zoning for Tract 1 and neighborhood commercial-mixed use (LR-MU) combining district zoning for Tract 2. Staff Recommendation: To grant multifamily residence medium density (MF-3) district zoning for Tract 1 and neighborhood commercial-mixed use (LR-MU) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant multifamily residence moderate-high density (MF-4) district zoning for Tract 1 and neighborhood commercial-mixed use (LR-MU) combining district for Tract 2. Owner: Webhe Properties (Najib Webhe). Applicant: South Llano Strategies (Glen Coleman). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 2.
A motion to postpone this item to March 12, 2020 at the request of the applicant was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.
68. C14-2019-0168 - Moore's Crossing Mixed Use/Live Work - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7012 Elroy Road (Dry Creek East Watershed). Applicant Request: To rezone from community commercial (GR) and community commercial - conditional overlay (GR-CO) combining district zoning to community commercial - mixed used (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial - mixed use - conditional overlay (GR-MU-CO) combining district zoning. Planning Commission Recommendation: To be reviewed on February 11, 2020. Owner: SR Development, Inc. (William Gurasich). Applicant: Alice Glasco Consulting (Alice Glasco). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 2.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200220-068 for community commercial - mixed used – conditional overlay (GR-MU-CO) combining district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.
69. NPA-2019-0012.02 - 3201 & 3203 Merrie Lynn Avenue, - Conduct a public hearing and approve an ordinance amending Ordinance No. 20020801-91, the Upper Boggy Creek 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 2804 Manor Road (formerly 3201 Merrie Lynn Avenue) and 3203 Merrie Lynn Avenue (Boggy Creek Watershed) from Multifamily to Mixed Use/Office land use. Staff recommendation and Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: 3201 Merrie Lynn, LLC and David Bills. Agent: Drenner Group (Amanda Swor). City Staff: Maureen Meredith, (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. 20200220-069 to change the land use designation on the future land use map (FLUM) to Mixed Use/Office land use was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.

70. C14-2019-0106 - 3201 and 3203 Merrie Lynn - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2804 Manor Road (formerly 3201 Merrie Lynn Avenue) and 3203 Merrie Lynn Avenue (Boggy Creek Watershed) from multifamily residence moderate high density-neighborhood plan (MF-4-NP) combining district zoning to limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Owner/Applicant: 3201 Merrie Lynn LLC. Agent: Drenner Group PC (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200220-070 for limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.

71. NPA-2017-0021.01 - 4530 E. Ben White Blvd. - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 4530 E. Ben White Blvd. (Country Club Creek Watershed) from Single Family and Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on March 24, 2020. Owner/Applicant: Belco Equities, Inc. Agent: Coats Rose, P.C. (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3.
A motion to postpone this item to April 9, 2020 at the request of staff was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.

74. C14-2019-0159 - Arboretum Lot 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9401 Arboretum Boulevard (Bull Creek Watershed). Applicant Request: To rezone from community commercial (GR) district zoning, general commercial services (CS) district zoning and commercial-liquor sales (CS-1) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use combining (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on February 18, 2020. Owner: GF-ARB C, Ltd. % Live Oak Gottesman. Agent: Drenner Group,

PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057, 512-974-3057. District(s) Affected: District 10.

A motion to postpone this item to April 9, 2020 at the request of staff was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.

75. NPA-2019-0021.02 - 6101 E. Oltorf Street -To approve an ordinance amending Ordinance No. 20061116-055, the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6101 E. Oltorf Street (portion of) (Carson Creek Watershed) from Industry to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on February 11, 2020. Applicant/Owner: 2009 TRCB, LP, a Texas Limited partnership. Agent: Armbrust & Brown, PLLC (Ferris Clements). Staff: Maureen Meredith (512) 974-2695. District(s) Affected: District 3.

A motion to postpone this item to April 9, 2020 at the request of staff was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.

76. C14-2019-0110 - 6106 E. Oltorf Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6101 E. Oltorf Street (Carson Creek Watershed). Applicant Request: To rezone from limited industrial services - conditional overlay - neighborhood plan (LI-CO-NP) combining district zoning to limited industrial services - planned development area - neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation: pending. Planning Commission Recommendation: To be reviewed on February 11, 2020. Owner: 2009 TRCB, LP, a Texas Limited Partnership (Brad Gates). Applicant: Ambrust & Brown (Richard S. Suttle Jr.). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 3.

A motion to postpone this item to April 9, 2020 at the request of staff was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.

77. C814-2018-0154 - Austin Green PUD - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 11600-12337 Harold Green Road (Elm Creek Watershed; Colorado River Watershed). Applicant's Request: To zone from unzoned to planned unit development (PUD) district zoning. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. Staff Recommendation: To grant planned unit development (PUD) district zoning, with conditions. Planning Commission Recommendation: To be reviewed on February 25, 2020. Owner and Applicant: Martin Marietta Materials, Inc. (Kate Glaze). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

A motion to postpone this item to March 12, 2020 at the request of staff was approved on Mayor Pro Tem Garza's motion, Council Member Renteria's second on an 11-0 vote.

DISCUSSION ITEMS CONTINUED

8. Authorize negotiation and execution of a professional services agreement with Terracon Consultants, Inc., or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP287, to provide roof replacement and system upgrade services for Branch

Library Roof Replacement and System Upgrades project, in an amount not to exceed \$535,357. [Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 15.80% MBE and 15.80% WBE participation.] Council Sponsors: Government That Works for All. District(s) Affected: District 1, District 3, District 6, District 7, District 10.

A motion to postpone this item to March 12, 2020 was approved on Council Member Pool's motion, Council Member Kitchen's second and accepted without objection.

Direction was given to staff to schedule an executive session for this item when it is brought back to Council.

38. Authorize negotiation and execution of a multi-term contract with Woody Harrison D/B/A Friendly Universe Inc., LLC D/B/A Woody Harrison Films, to provide videography services, for up to five years for a total contract amount not to exceed \$675,000. (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 insufficient subcontracting opportunities; therefore, no subcontracting goals were established). Council Sponsors: Government That Works for All.

The motion authorizing negotiation and execution of a multi-term contract with Woody Harrison doing business as Friendly Universe Inc., LLC doing business as Woody Harrison Films was approved on Council Member Flannigan's motion, Council Member Renteria's second on an 11-0 vote.

46. Approve a resolution directing the City Manager to explore options to procure a temporary vendor through an expedited process to oversee the repairs and operations of the Zilker Park train ride. Council Sponsors: Council Member Paige Ellis, Mayor Steve Adler, Council Member Leslie Pool, Council Member Ann Kitchen.

Resolution No. 20200220-046 was approved on Council Member Ellis's motion, Council Member Kitchen's second on an 11-0 vote.

47. Adopt a resolution requesting Texas Gas Service to provide a feasibility study regarding use of biomethane and measures to reduce natural gas leaks. Council Sponsors: Council Member Alison Alter, Council Member Gregorio Casar, Council Member Paige Ellis, Council Member Natasha Harper-Madison, Council Member Leslie Pool.

Resolution No. 20200220-047 was approved as amended below on Council Member Alter's motion, Council Member Harper-Madison's second on an 11-0 vote.

The amendments were:

To amend the fourth Whereas clause to read:

"WHEREAS, according to the 2018 Austin Community Greenhouse Gas Emissions inventory, natural gas contributes an estimated seven percent of Austin's inventory of greenhouse gas emissions based on currently available data; and"

To add a new fifth Whereas clause to read:

“WHEREAS, more complete data is needed to more accurately estimate natural gas contributions to Austin’s inventory of greenhouse gas emissions, and natural gas emissions sources include end use as well as system leakage; and”

To amend the now ninth Whereas clause to read:

“WHEREAS, once biomethane has been purified to a quality similar to geologic natural gas, it becomes possible to distribute the gas to customers via the existing gas distribution system for use within existing appliances and for transportation; and”

To add a new tenth Whereas clause to read:

“WHEREAS, policymakers around the nation have implemented policies to promote the development of renewable natural gas such as federal Renewable Fuel Standards or state and local Low-Carbon Fuel Standards; and”

To add a new eleventh Whereas clause to read:

“WHEREAS, the U.S. Environmental Protection Agency has found that the integration of captured methane as renewable natural gas has the potential to offset other greenhouse gas emission, particularly in transportation; and”

To add a new fifteenth Whereas clause to read:

“WHEREAS, various utilities in the U.S. purchase carbon offsets including programs for tree planting, forest preservation, renewable energy, and elimination of ozone depleting chemicals; and”

To amend the now seventeenth Whereas clause to read:

“WHEREAS, similar opt in programs from Austin local gas distribution companies do not currently exist; and”

To amend the now eighteenth Whereas clause to read:

“WHEREAS, according to currently available data, in 2018, Texas Gas Service gas system leaks were responsible for an estimated 125,045 in metric tons of CO₂e in Texas; and”

To add a new nineteenth Whereas clause to read:

“WHEREAS, greater communication and coordination between the Office of Sustainability and local distribution companies is necessary to achieve more accurate reporting; and”

To add a new twenty-first Whereas clause to read:

“WHEREAS, development and integration of technology for renewable natural gas helps achieve the City’s goal of reducing and ultimately eliminating community-wide greenhouse gas emissions; and”

To amend the first Be It Further Resolved clause to read:

“The City requests that Texas Gas Service Company, a division of ONE Gas Inc., conduct and provide to the city manager by late Spring of 2020 a feasibility analysis of renewable natural gas that addresses:

- Opportunities for methane capture from any and all sources in the Austin area and in the surrounding region;
- The economic benefits of such opportunities for the City, gas providers, and ratepayers; and
- Opportunities and benefits of the use of renewable credits and offsets to support sustainability goals.

The feasibility analysis should include findings identifying:

- A target percentage of biomethane (and potentially, hydrogen) to be incorporated into the throughput of Texas Gas Service or other local distribution companies;
- A target date by which such percentage will be reached, to include interim goals for adoption;
- Options for a potential opt-in consumer renewable energy program modeled on the Austin Energy GreenChoice program;
- Local opportunities that retain revenue for the City;
- Options for opportunities throughout the local economy, and how distribution companies can support local efforts; and
- Options for offsets and renewable credits as another strategy for carbon emissions reduction.

To amend the second Be It Further Resolved clause to read:

“The city manager is directed to facilitate conversations between Texas Gas Service, other local distribution companies, and City departments and to provide input on the completed feasibility analysis.”

To amend the fourth Be It Further Resolved clause to read:

“Texas Gas Service is requested to evaluate technology and cost options for increasing natural gas system leak detection and reduction programs and to regularly report to the City’s Resource Management Commission, at least quarterly, and to City Council, at least annually, an update on leakage rates and efforts to reduce leakage rates. Efforts can include pipeline modernization, third party damage prevention programs, City permitting processes to repair leaks, and coordination with the capture of methane as indicated above.”

82. Approve a resolution appointing Phillip Schmandt, Jolsna Thomas, and Sherri Greenberg to the Board of Directors of Austin Convention Enterprises, Inc. Council Sponsors: Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Mayor Steve Adler, Council Member Sabino 'Pio' Renteria.

A motion to approve the resolution was made by Mayor Pro Tem Garza and seconded by Council Member Casar.

A motion to amend the resolution by reversing the terms for Phillip Schmandt and Jolsna Thomas was made by Council Member Tovo and seconded by Council Member Pool. The motion failed on Council Member Tovo’s motion, Council Member Pool’s second on a 3-7

vote. Those voting aye were: Council Members Alter, Pool, and Tovo. Those voting nay were: Mayor Adler and Council Members Casar, Ellis, Flannigan, Harper-Madison, Kitchen, and Renteria. Mayor Pro Tem Garza abstained.

Resolution No. 20200220-082 was approved on Mayor Pro Tem Garza's motion, Council Member Casar's second on an 11-0 vote.

AUSTIN HOUSING AND FINANCE CORPORATION MEETING

Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 3:26 p.m. See separate minutes.

54. 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.

Mayor Adler reconvened the Council Meeting at 3:28 p.m.

PUBLIC HEARINGS

55. Conduct a public hearing and consider an ordinance adopting local standards of care for the City of Austin Parks and Recreation Department's Youth Programs.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200220-055 was approved on Mayor Pro Tem Garza's motion, Council Member Alter's second on a 10-0 vote. Council Member Casar was off the dais.

56. Conduct a public hearing and consider an ordinance amending various sections of City Code Title 25 (Land Development) to waive fees for neighborhood plan amendment applications for SMART Housing projects and plan amendment applications initiated by neighborhood plan contact teams.

A motion to close the public hearing and approve the ordinance was made by Council Member Harper-Madison and seconded by Council Member Renteria.

An amendment was offered by staff and accepted without objection. The amendment was to amend Part 2 of the ordinance as follows:

- “(G) The director may waive all or a portion of the fees, as set by the City's annual fee ordinance, for an amendment application initiated by a neighborhood plan contact team.”**

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200220-056 as amended above was approved on Council Member Harper-Madison's motion, Council Member Renteria's second on a 10-0 vote. Council Member Casar was off the dais.

85. Conduct a public hearing and consider an ordinance amending City Code Title 25 (Land Development) to create the Central Health Overlay district within the Downtown Austin Plan District Map. Council Sponsors: Economic Opportunity and Affordability.

This item was postponed to March 12, 2020 on Council Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

63. C14-2019-0151-The Colorfield - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1006 Baylor Street (Shoal Creek Watershed). Applicant Request: To rezone from multifamily residence high density-conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning to multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation: To grant multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Owner/Applicant: Colorfield, LLC (Bryan Cumby). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 9.

The public hearing was conducted and a motion to approve the ordinance on first reading for multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning was approved on Council Member Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

The following direction to staff was offered by Council Member Tovo and accepted without objection:

Direct the City Manager to convene staff from different departments, including the Transportation Department, Public Works Department, Parks and Recreation Department, and the Watershed Protection Department, between first and second reading to address the option of pedestrian connectivity. In particular, to see if there's a feasible solution to providing pedestrian connectivity on the City right of way, which is the alley located between 10th and 11th streets, and if a feasible alternative does exist to come forward with some recommendations about an appropriate level of cost share between the developer and, potentially, the City of Austin; and to provide additional information on how Parkland Dedication fees can be earmarked.

72. C14-2019-0137 - Delwau Campgrounds- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7715 Delwau Lane (Colorado River Watershed). Applicant Request: To rezone from single family residence standard lot (SF-2) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, with conditions. Owner/Applicant: Delwau LLC (Noah Zimmerman). Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

The public hearing was conducted and a motion to approve the ordinance on first reading for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, with conditions was approved on Council Member Renteria's motion, Council Member Harper-Madison's second on a 6-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, and Council Members Ellis, Flannigan, Harper-Madison, and Renteria. Those voting nay were: Council Members Pool and Tovo. Council Members Alter and Kitchen abstained. Council Member Casar was off the dais.

73. C14-2019-0160 - Limerick Avenue Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12411 Limerick Avenue (Walnut Creek Watershed). Applicant Request: To rezone from single-family residence-large lot (SF-1) district zoning to neighborhood office (NO) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant neighborhood office-mixed use (NO-MU) combining district zoning. Owner: Wanda Harris. Agent: PLACE Designers, Inc. (Vincent Shaw). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 10.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200220-073 for neighborhood office-mixed use (NO-MU) combining district zoning was approved on Council Member Renteria's motion, Council Member Harper-Madison's second on a 10-0 vote. Council Member Casar was off the dais.

DISCUSSION ITEMS CONTINUED

37. Authorize negotiation and execution of an emergency multi-term contract with Waste Management of Texas Inc., to provide collection, transportation, processing, and disposal of refuse, recycling, brush, and compostable materials generated by City facilities, for up to one year in an amount not to exceed \$1,068,000. (Note: 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). February 10, 2020 – Not recommended by the Electric Utility Commission on an 8-0 vote, with Commissioners Collier-Brown, Funkhouser, and Stone absent. February 12, 2020 – Recommended by the Water and Wastewater Commission on a 7-0 vote, with Commissioners Ho, Michel, and Schmitt absent. Council Sponsors: Health and Environment.

The motion to deny the authority to negotiate and execute an emergency multi-term contract with Waste Management of Texas Inc. was approved on Council Member Harper-Madison's motion, Council Member Pool's second on an 11-0 vote.

Mayor Adler adjourned the meeting at 5:42 p.m. without objection.

LIVE MUSIC

TreeGMusic

PROCLAMATIONS

Proclamation – Peace Corps Week 2020 – Presented by Mayor Adler

Proclamation – LULAC Week 2020 – Presented by Mayor Adler

Proclamation – Certificate of Recognition Marcelo Tafoya – Presented by Mayor Adler

Proclamation – Mike Personett Day – Presented by Mayor Adler

Distinguished Service Award – Carla Steffen – Presented by Council Member Tovo

The minutes were approved on this the 12th day of March 2020 on Council Member Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.