

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, APRIL 9, 2020**

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, April 9, 2020 via Videoconference.

Mayor Adler called the Council Meeting to order at 10:06 a.m.

Opening moment was provided by Zachary Suri.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council discussion of March 9, 2020, work session of March 10, 2020, regular meeting of March 12, 2020, and regular meeting of March 26, 2020.
The motion to approve the minutes of the Austin City Council discussion of March 9, 2020, work session of March 10, 2020, regular meeting of March 12, 2020, and regular meeting of March 26, 2020 were approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
2. Authorize the negotiation and execution of an interlocal agreement with the Austin Independent School District (AISD), for the use of the Palmer Events Center at no charge in exchange for the City's use of AISD services, with the value of the exchange not to exceed \$35,000 per term, for an initial contract term ending September 30, 2020, and with four 12-month renewal options.
The motion authorizing negotiation and execution of an interlocal agreement with the Austin Independent School District (AISD) was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
3. Amend a contract with MJR Partners for consulting services to guide the review and evaluation of the Cultural Funding Program in the amount of \$50,000 for a total amount not to exceed \$95,000.
This item was withdrawn on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

4. Approve a settlement in City of Austin v. Billy Jo Figer et al, Cause No. C-1-CV-18-002185 in Probate Court No. 1 of Travis County, Texas.
This item was withdrawn on consent Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
5. Approve a settlement in City of Austin v. SAFA Trading Establishment Inc., Cause No. C-1-CV-15-003281 in County Court at Law No. 1 of Travis County, Texas.
The motion to approve a settlement in City of Austin v. SAFA Trading Establishment Inc., Cause No. C-1-CV-15-003281 was approved as amended below on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

The amendment was to set the settlement amount as \$318,000.00
6. Approve an ordinance amending the Fiscal Year 2019-2020 Neighborhood Housing and Community Development Department's Operating Budget (Ordinance No. 20190910-001) to increase the beginning balance by \$500,000 and appropriate and increase expenditures by \$500,000 within the Neighborhood Housing University Neighborhood Overlay Fund for housing programs.
Ordinance No. 20200409-006 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
7. Approve a resolution appointing Samantha Rosenberg to the Board of Directors of the Austin Green Municipal Utility District, as provided for in the MUD's enabling legislation and consent agreement with the City of Austin.
This item was postponed to May 21, 2020 on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
8. Approve an ordinance amending City Code Chapter 11-1 to remove the requirement for the City to submit an annual Letter of Verification for the historic tax abatement to the Travis Central Appraisal District.
Ordinance No. 20200409-008 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
9. Approve an ordinance adopting the Third Amendment to the First Amended and Restated Agreement Concerning the Creation and Operation of Senna Hills Municipal Utility District to change uses and impose certain conditions. This action concerns land located within the Barton Springs Zone.
Ordinance No. 20200409-009 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
10. Authorize execution of an amendment to the interlocal agreement for the Austin Regional Intelligence Center to include the following agencies as new partners: the City of Lakeway on behalf of its Police Department, the City of Westlake on behalf of its Police Department, the City of Bee Cave on behalf of its Police Department, Hutto Independent School District on behalf of its Police Department, and the City of Elgin on behalf of its Police Department.

The motion authorizing execution of an amendment to the interlocal agreement for the Austin Regional Intelligence Center was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

11. Authorize execution of separate agreements with St. Edwards University and Concordia University that establish each as a new partner in the Austin Regional Intelligence Center (ARIC), as permitted by the existing interlocal agreements with the governmental agencies that are partners in ARIC.

The motion authorizing the execution of separate agreements with St. Edwards University and Concordia University was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

12. Authorize execution of an amendment to the interlocal agreement for the Austin Regional Intelligence Center (ARIC) to include the following agencies as new partner agencies in the funding mechanism established to sustain the operations of ARIC: the City of Lakeway on behalf of its Police Department, City of Westlake on behalf of its Police Department, the City of Bee Cave on behalf of its Police Department, Hutto Independent School District on behalf of its Police Department, and the City of Elgin on behalf of its Police Department.

The motion authorizing the execution of an amendment to the interlocal agreement for the Austin Regional Intelligence Center (ARIC) was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

13. Approve an ordinance amending the Fiscal Year 2019-2020 Police Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) authorizing 1.0 full-time equivalent grant position funded from the State of Texas, Office of the Governor, Criminal Justice Division, Victims of Crime Act Program.

Ordinance No. 20200409-013 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

14. Approve an ordinance amending the Fiscal Year 2019-2020 Police Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) authorizing 1.0 full-time equivalent grant position funded from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance through the Byrne Criminal Justice Innovation Program.

Ordinance No. 20200409-014 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

15. Approve an ordinance amending the Fiscal Year 2019-2020 Police Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) authorizing 1.0 full-time equivalent grant position funded from the State of Texas, Office of the Governor, Criminal Justice Division, Victims of Crime Act Critical Incident Stress Debriefing Program.

Ordinance No. 20200409-015 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

16. Authorize ratification of an interlocal agreement executed with The University of Texas at Austin-Dell Medical School, and other state institutions, to share data, manage and monitor

individuals, trace contacts, model data, and make recommendations for the purpose of understanding, responding to, and mitigating the spread of COVID-19 at no cost to the City.

The motion authorizing ratification of an interlocal agreement executed with The University of Texas at Austin-Dell Medical School, and other state institutions, was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

17. Authorize award of a multi-term contract with Texas Disposal Systems, Inc., to provide residential dumpster collection services, for up to five years for a total contract amount not to exceed \$2,100,000. (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).

The motion authorizing the award of a multi-term contract with Texas Disposal Systems, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

18. Authorize an amendment to an existing contract with Marsh USA, Inc. D/B/A Marsh USA, for continued administration services for the Rolling Owner Controlled Insurance Program VII, for an increase in the amount of \$355,000, for a revised contract amount not to exceed \$1,856,074. (Note: This contract 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 contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing an amendment to an existing contract with Marsh USA, Inc., doing business as Marsh USA, was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

19. Authorize an amendment to an existing contract with Safety Solutions, Inc., to provide continued construction safety management services associated with the Rolling Owner Controlled Insurance Program VII, for an increase in the amount of \$118,950, for a revised contract amount not to exceed \$375,550. (Note: This contract 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 contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing an amendment to an existing contract with Safety Solutions, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

20. Authorize an amendment to an existing contract with Liberty Mutual Insurance Company D/B/A Liberty Mutual Insurance, for the continued payment of insurance premiums to the Rolling Owner Controlled Insurance Program VII, for an increase in the amount of \$3,128,579, for a revised contract amount not to exceed \$8,400,064. (Note: This contract 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

contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing an amendment to an existing contract with Liberty Mutual Insurance Company, doing business as Liberty Mutual Insurance, was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

21. Authorize ratification of an emergency contract with Action Target Inc., for emergency repair of the large gun range including replacement parts, in the amount of \$118,170. (Note: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).
The motion authorizing ratification of an emergency contract with Action Target Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
22. Approve ratification of an amendment to an existing contract with WorkQuest, for emergency cleaning services in the amount of \$100,803 for a revised contract amount not to exceed \$490,803. (Note: This contract was awarded in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for these contracts, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
The motion approving ratification of an amendment to an existing contract with WorkQuest was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
23. Approve an ordinance suspending a Gas Reliability Infrastructure Program interim rate adjustment proposed by Atmos Energy - Mid-Tex Division.
Ordinance No. 20200409-023 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
24. Approve on first reading an ordinance extending a franchise to ATX Coop Taxi to operate a taxicab service in the City of Austin for five years.
This item was withdrawn on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
25. Approve on first reading an ordinance granting a franchise to Central City Taxi to operate a taxicab service in the City of Austin for five years.
The motion to approve the ordinance on first reading was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
26. Approve on first reading an ordinance extending a franchise to ABCABCO, INC. D.B.A. Lone Star Cab Company to operate a taxicab service in the City of Austin for five years.
This item was withdrawn on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

27. Approve on first reading an ordinance granting a franchise to Longhorn Taxicab Company to operate a taxicab service in the City of Austin for five years.

The motion to approve the ordinance on first reading was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

28. Approve on first reading an ordinance extending a franchise to Greater Austin Transportation Company D.B.A. Yellow Cab Company to operate a taxicab service in the City of Austin for five years.

This item was withdrawn on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

29. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws.

The following appointment was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote:

Board/Nominee

Nominated by

Board of Directors of Austin Convention Enterprises Inc.

Jolsna Thomas

Council Member Casar

***Six-year term beginning April 10, 2020**

Item 30 was pulled for discussion.

31. Approve a resolution initiating amendments to the regulating plan for the North Burnet Gateway area relating to floor-to-area ratio and subdistricts, and directing the City Manager to process the amendments. Council Sponsors: Council Member Leslie Pool, Council Member Alison Alter, Council Member Gregorio Casar, Council Member Ann Kitchen.

Resolution No. 20200409-031 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

32. Approve a resolution relating to the creation of loan and tax abatement programs for the construction of accessory dwelling units. Council Sponsors: Council Member Kathie Tovo, Mayor Pro Tem Delia Garza, Council Member Ann Kitchen, Council Member Leslie Pool, Council Member Alison Alter.

This item was withdrawn on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

Item 33 was pulled for discussion.

61. Approve an ordinance waiving unstickered extra trash fees for the period from March 23, 2020 until the Mayor's Stay Home - Work Safe Order No. 20200324-007 has been lifted, or until otherwise directed by City management, to encourage Austin Resource Recovery customers to

stay home and to dispose of their trash in a manner that reduces the risk of nuisance conditions from trash that may be improperly disposed.

Ordinance No. 20200409-061 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

62. Approve an ordinance amending City Code Section 2-7-72 (Reports) of Chapter 2-7 (Ethics and Financial Disclosure) relating to the deadlines for filing financial disclosures.

Ordinance No. 20200409-062 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

63. Approve an amendment to a contract with MJR Partners for consulting services to guide the review and evaluation of the Cultural Funding Program in the amount of \$80,000 for a total amount not to exceed \$125,000.

The motion approving an amendment to a contract with MJR Partners was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

Item 64 was pulled for discussion.

65. Authorize the ratification of an agreement with Hotel USA Partners, LLC, for the City to occupy the real property located at 6121 N. Interstate Highway 35 for emergency housing, isolation, and support services related to COVID-19 for a 60-day term, with an option to extend for two additional 30-day terms, for an amount not to exceed \$2,804,760.00. District(s) Affected: District 4.

The motion authorizing ratification of an agreement with Hotel USA Partners, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

66. Authorize the ratification of an agreement with DBG Austin South LLC, for the City to occupy the real property located at 4200 South Interstate Highway 35 for emergency housing, isolation, and support services related to COVID-19, for a 60 day term, with an option to extend for two additional 30 day terms, for an amount not to exceed \$541,800.00. District(s) Affected: District 3.

The motion authorizing ratification of an agreement with DBG Austin South LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

67. Authorize the ratification of an agreement with Pleiades Hospitality, LLC, for the City to occupy the real property located at 8010 North Interstate Highway 35 for emergency housing, isolation, and support services related to COVID-19 for a 60 day term, with an option to extend for two additional 30 day terms, for an amount not to exceed \$222,500.00. District(s) Affected: District 4.

The motion authorizing ratification of an agreement with Pleiades Hospitality, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

68. Approve an ordinance amending the Fiscal Year 2019-2020 General Fund Emergency Reserve Fund (Ordinance 20190910-001) to appropriate an amount not to exceed \$2,804,760 to be used for COVID-19-related emergency housing and support services to supplement but not supplant Federal and State funding, and declaring an emergency.
This item was withdrawn on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
69. Authorize execution of Amendment No. 3 to the interlocal agreement between the City, Travis County, and the Austin-Travis County Sobriety Center Local Government Corporation (LGC) for the operation and management of the Sobering Center to add a provision that permits the LGC to utilize the facility as an isolation or quarantine facility or for other related services as needed or requested during a disaster.
The motion authorizing execution of Amendment No. 3 to the interlocal agreement between the City, Travis County, and the Austin-Travis County Sobriety Center Local Government Corporation (LGC) was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
70. Authorize negotiation and execution of an agreement with Revolution Foods to provide prepared meal distribution to the homeless community in an amount not to exceed \$400,000 for a nine-week term beginning April 1, 2020, with two four-week extension options.
The motion authorizing negotiation and execution of an agreement with Revolution Foods was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
71. Approve a resolution authorizing amendments to the articles of incorporation and bylaws of the Austin/Travis County Sobriety Center Local Government Corporation.
Resolution No. 20200409-071 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
72. Authorize an amendment to an existing cooperative contract with Freeit Data Solutions, Inc., to provide continued hardware, software, implementation, training, maintenance, and support services required to support the Supervisory Control and Data Acquisition/Energy Management System and Advanced Distribution Management System upgrade, for an increase in the amount of \$6,453,500 for a revised total contract amount not to exceed \$11,522,180. (Note: This contract was reviewed 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 contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
The motion authorizing an amendment to an existing cooperative contract with Freeit Data Solutions, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
73. Approve on first reading an ordinance renewing a franchise for ATX Coop Taxi to operate a taxicab service in the City of Austin for five years.
The motion to approve the ordinance on first reading was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

74. Approve on first reading an ordinance renewing a franchise for ABCABCO, INC. D.B.A. Lone Star Cab Company to operate a taxicab service in the City of Austin for five years.
The motion to approve the ordinance on first reading was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
75. Approve on first reading an ordinance renewing a franchise for Greater Austin Transportation Company D.B.A. Yellow Cab Company to operate a taxicab service in the City of Austin for five years.
The motion to approve the ordinance on first reading was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
76. Approve a resolution condemning violence, hate speech, racism, and misinformation during the COVID-19 pandemic and expressing solidarity with Chinese and Asian Americans. Council Sponsors: Council Member Alison Alter, Mayor Steve Adler, Council Member Gregorio Casar, Council Member Jimmy Flannigan, Council Member Kathie Tovo.
Resolution No. 20200409-076 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
77. Approve an ordinance amending the Fiscal Year 2019-2020 General Fund Emergency Reserve Fund (Ordinance 20190910-001) to appropriate an amount not to exceed \$15,000,000 for the Relief in a State of Emergency (RISE) Fund to support COVID-19 emergency relief to supplement but not supplant Federal and State funding, and declaring an emergency. Council Sponsors: Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, Mayor Steve Adler, Council Member Kathie Tovo, Council Member Sabino 'Pio' Renteria.
This item was withdrawn on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.
78. Approve a resolution imploring the Texas Governor and the Texas Secretary of State to protect the voting rights and the public health of all Texans during the ongoing novel coronavirus pandemic by permitting voting-by-mail for all voters eligible to vote in Texas elections and directing the City Manager to send this resolution to the appropriate state leaders. Council Sponsors: Council Member Alison Alter, Council Member Natasha Harper-Madison, Council Member Leslie Pool, Council Member Gregorio Casar, Council Member Kathie Tovo.
Resolution No. 20200409-078 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

Item 79 was pulled for discussion.

80. Approve a resolution relating to funding, construction plans, and tax-related relief for accessory dwelling units. Council Sponsors: Council Member Kathie Tovo, Mayor Pro Tem Delia Garza, Council Member Ann Kitchen, Council Member Leslie Pool, Council Member Alison Alter.
Resolution No. 20200409-080 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

Item 81 was pulled for discussion.

85. Approve an ordinance amending the Fiscal Year 2019-2020 General Fund Emergency Reserve Fund (Ordinance No. 20190910-001) to appropriate an amount not to exceed \$2,804,760 for COVID-19 emergency relief; and declaring an emergency.
Ordinance No. 20200409-085 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

Item 86 was pulled for discussion.

87. Approve an ordinance amending the Fiscal Year 2019-2020 General Fund Emergency Reserve Fund (Ordinance 20190910-001) to appropriate an amount not to exceed \$15,000,000 for the Relief in a State of Emergency (RISE) Fund to support COVID-19 emergency relief; and declaring an emergency. Council Sponsors: Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, Council Member Sabino 'Pio' Renteria, Mayor Steve Adler, Council Member Kathie Tovo.
Ordinance No. 20200409-087 was approved on consent on Council Member Harper-Madison's motion, Council Member Alter's second on an 11-0 vote.

EXECUTIVE SESSION

42. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
Withdrawn without objection.
43. Discuss legal issues related to Acuna et al v. City of Austin et al, Cause No. D-1-GN-19-008617, in the 201st District Court, Travis County, Texas (Private consultation with legal counsel-Section 551.071 of the Government Code).
Withdrawn without objection.
44. Discuss legal issues related to line of duty leave under the Texas Local Government Code (private consultation with legal counsel - Section 551.071 of the Government Code).
Withdrawn without objection.

Mayor Adler recessed the meeting at 11:55 a.m.

Mayor Adler reconvened the meeting at 1:07 p.m.

EMINENT DOMAIN

34. Approve a resolution authorizing the filing of eminent domain proceedings for the Spicewood Springs Road Mobility Improvements Project for the right-of-way acquisition of approximately 0.0181 of an acre of land (approx. 789 square feet), being out of and a portion of the James M. Mitchell Survey No. 17, Abstract No. 521, in Travis County, Texas, same being a portion of that certain tract described in Document No. 2000017269 of the Official Public Records of Travis

County, Texas and conveyed to Laszlo Herczeg in a General Warranty Deed dated November 21, 2008, recorded in Document No. 2008169731 of the said Official Public Records in the amount of \$2,904, for the public use of a mobility improvements project to address congestion and enhance mobility and safety for the public. The owner of the needed property is Laszlo Herczeg. The property is located entirely within District 10, at 5003 Spicewood Springs Road, Austin, Texas 78759. The general route of the project is located within the Austin city limits and is oriented east-west as Spicewood Springs connects with Loop 360 and Loop 1. The project area limits are approximately 4,000 feet of Spicewood Springs Road from Loop 360 to Mesa Drive, in Austin, Travis County, Texas. District(s) Affected: District 10.

Resolution No. 20200409-034 was approved on Council Member Renteria's motion, Mayor Pro Tem Garza'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 1:10 p.m. See separate minutes.

35. 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 1:12 p.m.

PUBLIC HEARINGS CONTINUED

39. Conduct a public hearing and consider a resolution for an application by ECG Wildhorse, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Wildhorse Flats, located at or near the southeast corner of Highway 290 and Highway 130 in the Wildhorse Public Improvement District, within the City. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20200409-039 was approved on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

40. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-12 (Technical Codes) to adopt and amend the 2015 International Wildland-Urban Interface Code.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200409-040 was approved with the following direction on Council Member Alter's motion, Council Member Flannigan's second on an 11-0 vote.

The direction was: "The model international Wildland Urban Interface Code (WUIC) includes rules governing vegetation management and fuels mitigation not yet adopted into the Austin code. The City Manager is directed to create a process to incorporate and/or adapt these additional WUIC strategies into Austin's wildfire prevention efforts. This

process should build off the extensive work invested in adoption of Austin’s initial WUIC and:

- Provide for extensive stakeholder engagement, including, but not limited to, wildfire mitigation experts, members of the environmental community, homeowners, and entities that manage tracts of wildland or wildland urban interface land;
- Address the roles and responsibilities of homeowners as well as land management entities;
- Identify a path forward, through voluntary and/or regulatory action, that advances fuels mitigation and vegetation management to mitigate wildfire risk in our community; and
- Explore the creation of community refuges as a related option for wildfire preparedness.

The City Manager is directed to provide a report to City Council within three months with a comprehensive overview of the developed process and related timeline.”

83. Conduct a public hearing and approve an ordinance adopting a moratorium on city utility disconnections, waiving city utility late fees, extending the deadline for commercial and multifamily energy audit and benchmark reporting, reducing certain city electric and water rates, expanding eligibility for the city utilities' customer assistance program to include individuals experiencing financial hardship due to the COVID-19 pandemic, amending the fiscal year 2019-2020 budgets of Austin Water and Austin Energy to appropriate up to \$10,000,000 for the utilities' Plus-One payment assistance programs, and declaring an emergency.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance was made on Mayor Pro Tem Garza’s motion, Council Member Harper-Madison’s second.

A motion to amend the ordinance was made by Council Member Flannigan and accepted without objection. The amendment was to add the following language beginning on line 38 of the Ordinance:

“The City Manager is authorized to develop guidelines for verifying eligibility and enrolling customers claiming financial hardship due to the pandemic, and to work with other utilities providing service to City residents to facilitate their development and implementation of pandemic-related assistance programs.”

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200409-083 as amended was approved on Mayor Pro Tem Garza’s motion, Council Member Harper-Madison’s second on an 11-0 vote.

PUBLIC HEARINGS

37. Conduct a public hearing and consider an ordinance repealing and replacing Article 4 of City Code Chapter 25-12 to adopt the 2020 National Electrical Code and local amendments.
This item was postponed to May 7, 2020 without objection.

38. Conduct a public hearing and consider an ordinance concerning a change to gas rates proposed by Texas Gas Service Company.
This item was postponed to May 7, 2020 without objection.
41. Conduct a public hearing and consider an ordinance amending City Code Section 25-13-45 relating to compatible residential uses in Airport Overlay Zone Three (AO3).
This item was postponed to May 7, 2020 without objection.

DISCUSSION ITEMS

30. Approve a resolution related to magistration services provided by Austin Municipal Court judges, and reforms to end wealth-based detention and improve equity in the Travis County justice system. Council Sponsors: Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Council Member Jimmy Flannigan, Council Member Natasha Harper-Madison.
A motion to approve the resolution was made by Mayor Pro Tem Garza, Council Member Harper-Madison's second.

A motion to amend the resolution as follows was made by Council Member Pool and accepted without objection. The amendments were:

Add a new Be It Further Resolved clause at line 201 to read:

“Be It Further Resolved:

Prior to presenting any proposed amendments to the Interlocal Agreement to the Council for approval based on this resolution, the City Manager shall provide Council with a financial analysis showing the cost to the City of each proposed amendment.”

Amend the first sentence of the Be It Further Resolved clause at line 174 to read:

“Be It Further Resolved:

The City Manager is directed to engage with Travis County through the working group process described in the Interlocal Agreement, and with the “Who’s in Jail and Why?” working group created by the Travis County Commissioners Court with City participation, with the goal of amending the Interlocal Agreement to create administrative procedures and a physical environment for the magistration process that enhances the opportunity for Municipal Court Judges acting as magistrates to: (1) release arrested persons on personal bond whenever the magistrate determines it appropriate under the law and the facts; and (2) impose the least-restrictive pretrial conditions necessary to reasonably assure public safety and prevent flight from prosecution when release on personal bond is not appropriate.”

Resolution No. 20200409-030 was approved as amended on Mayor Pro Tem Garza’s motion, Council Member Harper-Madison’s second on a 10-0 vote. Council Member Pool abstained.

ZONING ORDINANCES / RESTRICTIVE COVENANTS

45. C14-2019-0153-Old Koenig V Rezone - Approve second and third readings of 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 zoning to general commercial services-mixed use-vertical mixed-use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. First Reading approved on February 20, 2020. Vote 11-0. 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.
Ordinance No. 20200409-045 for general commercial services-mixed use-vertical mixed-use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.
46. 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 (GR-MU) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on April 7, 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.
This item was postponed to June 4, 2020 at the request of staff on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.
47. C14-2020-0010 FM 969 Retail Center - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6401 FM 969 Road (Walnut Creek Watershed) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Planning Commission Recommendation: Applicant Indefinite postponement. Owner/Applicant: 6401 E FM 969 LLC (Najib Wehbe). Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
This item was postponed indefinitely at the request of the applicant.
48. 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:

Pending. 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.

This item was postponed to May 21, 2020 at the request of staff on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.

49. C14-2019-0167 - 4530 E. Ben White Blvd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4530 E. Ben White Blvd (Country Club West Watershed). Applicant Request: To rezone from single family residence - standard lot - neighborhood plan (SF-2-NP) combining district zoning and general commercial services - conditional overlay - neighborhood plan (CS-CO-NP) combining district zoning to general commercial services - mixed use - conditional overlay - neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To deny general commercial services - mixed use - conditional overlay - neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: Pending. Owner: 4539 East Ben White Associates LLC (Trevor Belton). Applicant: Coats Rose (John Joseph). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 3.
- This item was postponed to May 21, 2020 at the request of staff on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.**

50. 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: Pending. 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.
- This item was postponed to May 21, 2020 at the request of staff on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.**

51. C14-2019-0110 - 6101 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) to limited industrial services - planned development area - neighborhood plan (LI-PDA-NP). Staff Recommendation: pending. Planning Commission Recommendation: Pending. Owner: 2009 TRCB, LP (Brad Gates). Applicant: Armbrust & Brown (Richard S. Suttle Jr.). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 3.
- This item was postponed to May 21, 2020 at the request of staff on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.**

52. C14-2020-0008 - South Congress Multifamily - Conduct a public hearing and approve an ordinance amending City Code Title 25-by rezoning property locally known as 4302 South Congress Avenue (Williamson Creek Watershed). Applicant's Request: To rezone 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 and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed-use building-neighborhood plan (CS-MU-V-NP) combining district zoning, with conditions. Owner: Lampros Moumouris. Agent: Rivera Engineering (Michael A. Rivera). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 3.

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

53. C14-2019-0129 - 10801 Wayne Riddell Loop - Conduct a public hearing and approve an ordinance amending City Code Title 25-2 by zoning property locally known as 10801 Wayne Riddell Loop (Slaughter Creek Watershed; Onion Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To be reviewed on April 7, 2020. Owner/Applicant: Riddell Family Limited Partnership (James A. Henry). Agent: Smith Robertson, L.L.P. (David Hartman). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

This item was postponed to May 21, 2020 at the request of staff on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.

54. C14-2019-0155 - 4011 Convict Hill Rezoning - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4011 Convict Hill Road (Williamson Creek Watershed-Barton Springs Zone). Applicant's Request: To rezone single family residence-standard lot (SF-2) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning, with conditions. First Reading approved on March 12, 2020. Vote: 8-1, Council Member Flannigan voted nay. Mayor Adler and Council Member Harper-Madison were off the dais. Owner: Devch, L.P. (Rick Anderson). Agent: LOC Consultants (Sergio Lozano, P.E.). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 8.

This item was postponed to April 23, 2020 at the request of staff on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.

55. C14-2020-0007 - 2001 Guadalupe Street Zoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2001 Guadalupe Street (Shoal Creek Watershed). Applicant Request: To rezone from general commercial services - neighborhood plan (CS-NP) combining district zoning to general commercial services - mixed use - neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To grant general commercial services - mixed use - neighborhood plan (CS-MU-NP) combining district zoning. Planning Commission Recommendation: To be reviewed April 14, 2020. Owner/Applicant: Powell-Corbett LLC (William Corbett). Agent: Coats-Rose (John Joseph). Staff: Mark Graham, 512-974-3574. District(s) Affected: District 9.

This item was postponed to May 7, 2020 at the request of staff on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.

56. C14-2019-0151 - The Colorfield - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1006 Baylor Street (Shoal Creek Watershed). Applicant's Request: To rezone from multifamily residence high density-conditional overlay - neighborhood plan (MF-5-CO-NP) combining district zoning to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. First Reading approved on February 20, 2020. Vote: 10-0, Council Member Casar off the dais. Owner and 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 close the public hearing and approve Ordinance No. 20200409-056 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 Ellis' second on a 10-1 vote. Council Member Flannigan voted nay.

57. C14-2019-0137 - Delwau RV Parks - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7715 Delwau Lane (Colorado River Watershed) from single family residence standard lot (SF-2) district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. First reading approved on February 20, 2020. Vote 6-2; Pool, Tovo-Nay, Kitchen, Alter- Abstain, Casar- Off the dais. Owner/Applicant: Delwau LLC (Noah Zimmerman). Agent: South Llano Strategies (Glen Coleman). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

This item was postponed to April 23, 2020 at the request of applicant on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.

58. NPA-2018-0005.01 - 1501 Airport Commerce Drive-Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis 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 1501 Airport Commerce Drive, (Carson Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation and Planning Commission recommendation: To deny Mixed Use land use. Owner/Applicant: W2 Hill ACP II LP; W2 Real Estate Partners. Agent: Amanda Swor; Drenner Group City Staff: Jesse Gutierrez, (512) 974-1606. District(s) Affected: District 3.

This item was postponed to May 7, 2020 at the request of applicant on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.

59. C14-2019-0029 - 1501 Airport Commerce Dr - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1501 Airport Commerce Drive (Carson Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-

MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To deny general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Owner/Applicant: W2 Hill ACP II, LP. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 3.

This item was postponed to May 7, 2020 at the request of applicant on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.

60. C14-2020-0001 - Colton Bluff Springs Road -Conduct a public hearing and approve second and third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 6917 Colton Bluff Springs Road (Marble Creek Watershed). Applicant Request: To rezone from rural residential (RR) district, single family residence - small lot (SF-4A) district, single family residence - small lot - conditional overlay (SF-4A-CO) combining district and neighborhood commercial - mixed use (LR-MU) combining district zoning to multifamily residence - medium density (MF-3) district zoning for Tract 1, and community commercial - mixed use (GR-MU) combining district zoning for Tract 2. First Reading approved multifamily residence - low density (MF-2) district zoning for Tract 1 and community commercial - mixed use (GR-MU) combining district zoning for Tract 2 on March 12, 2020. Vote: 7-2, Council Members Alter and Pool voted nay; Mayor Adler and Council Member Harper-Madison were off the dais. Owner: BMR Land LLC (William P. Mclean). Applicant: McClean & Howard LLP (Jeffery S. Howard). 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. 20200409-060 as amended below for multifamily residence - medium density (MF-3) district zoning for Tract 1, and community commercial - mixed use (GR-MU) combining district zoning for Tract 2 was approved on Council Member Tovo's motion, Council Member Ellis' second on an 10-1 vote. Council Member Flannigan voted nay.

The amendment was to add the following two conditional overlays:

1) Height within the GR-MU area be limited to 40 ft.

2) All commercial buildings will be within 300 ft. of McKinney Falls Parkway

84. C14H-2020-0011 - Lavada Durst ('Dr. Hepcat') House. Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1906 E. 21st Street. Applicant: Historic Landmark Commission upon citizen request. Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Staff Recommendation, Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant family residence - historic landmark - neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: City of Austin. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454 District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20200409-084 for family residence - historic landmark - neighborhood plan

(SF-3-H-NP) combining district zoning was approved on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.

PUBLIC HEARINGS CONTINUED

82. 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.

This item was postponed to April 23, 2020 at the request of staff on Council Member Tovo's motion, Council Member Ellis' second on an 11-0 vote.

DISCUSSION ITEMS

33. Approve a resolution relating to assistance for and protections of customers of financial institutions. Council Sponsors: Mayor Pro Tem Delia Garza, Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Gregorio Casar, Council Member Kathie Tovo.

Resolution No. 20200409-033 was approved on Mayor Pro Tem Garza's motion, Council Member Harper-Madison's second on an 11-0 vote.

64. Discussion and possible action regarding Acuna et al v. City of Austin et al, Cause No. D-1-GN-19-008617, in the 201st District Court, Travis County, Texas.

A motion to direct the City Manager to take no further action on the appellate court decision failed on Council Member Pool's motion, Council Member Alter's motion on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, and Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria.

A motion to direct the City Manager to request an extension of the deadline to appeal for a minimum of 30 days but preferably 90 days failed on Council Member Alter's motion, Council Member Kitchen's second on a 4-7 vote. Those voting aye were: Council Members Alter, Kitchen, Pool and Tovo. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, and Council Members Casar, Ellis, Flannigan, Harper-Madison, and Renteria.

79. Approve a resolution relating to the expanded Family and Medical Leave Act and emergency paid sick leave coverage under the Families First Coronavirus Recovery Act for City of Austin employees. Council Sponsors: Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Gregorio Casar, Council Member Leslie Pool, Council Member Sabino 'Pio' Renteria.

A motion to approve the resolution was made on Council Member Tovo's motion, Council Member Alter's second.

A motion to amend the resolution was made by Council Member Tovo and accepted without objection.

The amendment was to amend the last Be It Resolved clause to read:

“The Council expresses its intent to modify the expanded Family Medical Leave Act policy to ensure that the City will pay an eligible employee 100% of their regular pay rate for the number of hours the employee would otherwise be normally scheduled. The City Manager is directed to return to Council no later than April 17, 2020, with a recommendation that details operational procedures to accommodate this intent.”

The following amendment was offered by staff and accepted without objection.

Revise the first bullet point under the second Be It Further Resolved clause to read:

“Return to Council with proposed exemptions from these policies for City employees in positions other than front-line essential services.”

Resolution No. 20200409-079 was approved as amended on Council Member Tovo’s motion, Council Member Alter’s second on an 11-0 vote.

81. Approve a resolution authorizing the City Manager to negotiate and execute amendments to existing social services contracts and to negotiate and execute new emergency contracts funded from the Relief in a State of Emergency (RISE) Fund to offer immediate support services and direct financial assistance to residents impacted by the COVID-19 pandemic and economic crisis. Council Sponsors: Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Mayor Steve Adler, Council Member Kathie Tovo, Council Member Sabino 'Pio' Renteria. **A motion to approve the resolution was made on Mayor Pro Tem Garza’s motion, Council Member Casar’s second.**

A motion to amend the resolution was made by Mayor Pro Tem Garza and accepted without objection.

The amendment was to amend the last bullet of the *Funding Distribution* section of the Be It Resolved clause to read:

“Other direct relief services provided by community-based organizations to assist individuals and families in meeting basic needs, including essential hygiene, and alleviating hardships.”

Council Member Alter offered the following staff direction that was accepted without objection: “The City Manager is directed to assess whether providers receiving these funds may need technical assistance to alter or pivot their service models in order to swiftly disburse dollars directly to residents or to scale their current operations. The City Manager is further directed to identify available city funds or other resources that may be used to offer such capacity building assistance.”

A motion to amend the resolution was made by Council Member Alter and accepted without objection.

The amendment was to revise the *Service Provider* section, on page 8, after line 142 to add the following language: “The City Manager is authorized to negotiate and execute emergency contracts or contract amendments (as appropriate) with one or more providers to work with those who have tested positive for COVID-19 or have a high probability of infection (based on contract tracing), so that those individuals receive assistance tailored to their needs and are better able to comply with containment measures.”

To revise the *Eligibility* section, on page 7, after line 126 to add the following language: “Prioritize individuals eligible for RISE funds, who have also tested positive for COVID-19 or have a high probability of infection based on contract tracing, while maintaining appropriate confidentiality.”

Resolution No. 20200409-081 was approved as amended above on Mayor Pro Tem Garza’s motion, Council Member Casar’s second on an 11-0 vote.

86. Approve a resolution related to the use of the Live Music Fund for Emergency Assistance grants for musicians. Council Sponsors: Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Leslie Pool, Mayor Pro Tem Delia Garza, Council Member Alison Alter. A motion to approve the resolution was made on Council Member Tovo motion, Council Member Pool’s second.

Council Member Tovo offered the following direction to staff. The direction was:

“That the City Manager consider the following:

- Working with community partners, especially partners serving individuals within the music industry, and partnering with them to disperse funds or assistance that provide the most effective and expedient method for doing so.
- Consider the recommendations adopted by the Music Commission on April 8, 2020”

Mayor Adler offered the following amendments that were accepted without objection. The amendments were:

To add the word “and” to the end of the last WHEREAS clause.

To add two additional WHEREAS clauses to read:

“WHEREAS, the Live Music Fund Working Group met on April 6, 2020 and made a recommendation to the Austin Music Commission, which reviewed and passed recommendation 20200408-2 to the City Council; and

WHEREAS, the Music Commission recommendation 20200408-2 supports using the Live Music Fund to provide emergency assistance to musicians, music venues, and related professionals only if there are no other sources of revenue;”

To amend the first paragraph of the Be It Resolved clause to read:

“The City Manager is directed to consider and make recommendations on the following possible measures to provide support to local musicians, live music venues, and professionals within music-related industries:”

To amend the first bullet of the Be It Resolved clause to read:

“Immediate use of the Live Music Fund for an Austin Music Disaster Relief Fund to provide emergency grants to support the most vulnerable local musicians that would be eligible for such grants under Texas Tax Code 351.101(a)(4), with eligibility to be additionally informed by feedback from the Music Commission and nonprofit partners and in a manner coordinated and not overlapping with financial assistance directed by other Council initiatives and guided by the principles of equity, diversity, and inclusion.”

A motion to amend the resolution was made on Mayor Adler’s motion, Council Member Renteria’s second. The amendment was to add a new bullet two and a new bullet three to the Be It Resolved clause to read:

- **“However, the forgoing notwithstanding, and while there is great need among these beneficiaries for emergency relief, the City Council does not want the funding for that relief to come from the Live Music Fund because its intended use remains critical for Austin’s ultimate recovery. Therefore, the Manager is expected to first utilize other funding available for this emergency, including, but not limited to federal disaster relief funds or other emergency assistance, as the Manager is also finding such emergency funding for other artists and artist venues.**
- **If there is not other funding available for this purpose, the Manager must set forth a plan for replenishment of the Live Music Fund, if the Live Music Fund is used to initially fund the Austin Music Disaster Relief fund.”**

A motion to revise the amendment was made by Council Member Kitchen. The amendment was to have the language read:

- **“Manager is requested to first analyze other funding available for this emergency including but not limited to Federal disaster relief funds or other emergency assistance.**
- **If the Live Music Fund is used to initially fund the Austin Music Disaster Relief Fund the Manager must set forth a plan for replenishment of the Live Music Fund.”**

A motion to postpone the item failed on Council Member Flannigan’s motion, Council Member Harper-Madison’s second on a 4-7 vote. Those voting aye were: Council Members Ellis, Flannigan, Harper-Madison, and Renteria. Those voting nay were: Mayor Adler, Mayor Pro Tem Garza, and Council Members Alter, Casar, Kitchen, Pool, and Tovo.

A motion to revise the amendment to the amendment was made by Council Member Tovo and accepted without objection. The amendment was to combine bullets two and three to read:

- **“If the Live Music Fund is recommended to initially fund the Austin Music Disaster Relief Fund, the Manager must set forth a plan for replenishment. The Manager is**

expected to first consider other funding available for this emergency including, but not limited to, federal disaster relief funds or other emergency assistance”

Resolution No. 20200409-086 was approved as amended above on Council Member Tovo’s motion, Council Member Pool’s second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, and Council Members Alter, Casar, Ellis, Kitchen, Pool, Renteria, and Tovo. Those voting nay were: Council Members Flannigan and Harper-Madison.

PUBLIC HEARINGS CONTINUED

36. Conduct a public hearing and consider a request for a waiver from the 300 foot minimum separation distance required by City Code Chapter 4-9, Section 4(A) between a business selling alcoholic beverages and a public school from Neighborhood Goods, a proposed retail store with accessory restaurant use at 1007 S. Congress Avenue, situated on property that is within 300 feet of the Texas School for the Deaf, a public school located at 1102 S. Congress Avenue. District(s) Affected: District 9.
- The motion to approve the request for a waiver as approved on Council Member Harper-Madison’s motion, Council Member Ellis’ second on a 7-0 vote. Mayor Pro Tem Garza and Council Members Alter, Pool and Tovo abstained.**

Mayor Adler adjourned the meeting at 4:25 p.m. without objection.

The minutes were approved on this the 23rd day of April 2020 on Council Member Alter’s motion, Mayor Pro Tem Garza’s second on an 11-0 vote.