



# City of Austin

## Agenda

### City Council Work Session

*Mayor Steve Adler*

*Mayor Pro Tem Delia Garza*

*Council Member Natasha Harper-Madison*

*Council Member Sabino "Pio" Renteria*

*Council Member Gregorio Casar*

*Council Member Ann Kitchen*

*Council Member Jimmy Flannigan*

*Council Member Leslie Pool*

*Council Member Paige Ellis*

*Council Member Kathie Tovo*

*Council Member Alison Alter*

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Tuesday, September 1, 2020

9:00 AM

Via videoconference

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

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

#### **A. Pre-Selected Agenda Items**

#### **B. Briefings**

- B1.** Update on Covid-19 related matters. (Standing staff update).
- B2.** Briefing on the Walter E. Long Metropolitan Park Vision Plan. (Staff Presentation related to Council agenda item)

#### **C. Council Items of Interest**

#### **D. Council Discussion**

#### **E. Executive Session**

- E1.** Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E2.** Discuss compensation and benefits for the City Clerk (Personnel matters - Section 551.074 of the Government Code).
- E3.** Discuss re-appointment, compensation, and benefits for the City Auditor (Personnel matters - Section 551.074 of the Government Code).

- E4.** Discuss compensation and benefits for the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).
- E5.** Discuss the employment, duties, and evaluation of the City Manager (Personnel matters - Section 551.074 of the Government Code).
- E6.** Discuss legal issues related to the zoning of property located at 218 South Lamar (Lady Bird Lake Watershed) from general commercial services-vertical mixed use building (CS-V) combining district to planned unit development (PUD) zoning district (Private consultation with legal counsel -Section 551.071 of the Government Code).

**Adjourn**

## Consent Agenda

### Approval of Minutes

1. Approve the minutes of the Austin City Council discussion of August 5, 2020, special called of August 7, 2020, budget adoption of August 12, 2020, work session of August 25, 2020, and regular meeting of August 27, 2020.

### Capital Contracting Office

2. Authorize negotiation and execution of a professional services agreement with Marmon Mok, LLP (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP279, to provide Architectural and Engineering services for Colony Park District Park and Givens District Park Aquatic Facilities in an amount not to exceed \$1,700,000.

[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 15.90% MBE and 15.80% WBE participation.]

Strategic Outcome(s): Government that Works for All; Culture and Lifelong Learning.

District(s): District 1

### Law

3. Authorize a legal services agreement with Foley & Lardner, LLP for representation in Mansour et al v. City of Austin, Cause No. D-1-GN-20-003428 in the 419th District Court of Travis County, Texas for a total not-to-exceed contract amount of \$139,000.

Strategic Outcome(s): Government That Works For All.

### Neighborhood Housing and Community Development

4. Authorize negotiation and execution of a one-year service agreement with the Austin Housing Finance Corporation to manage and operate various housing programs on the City of Austin's behalf during Fiscal Year 2020-2021 to be funded by United States Department of Housing and Urban Development funds and local housing funds in an amount not to exceed \$75,604,657.

Strategic Outcome(s): Economic Opportunity and Affordability.

### Office of Real Estate Services

5. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple or acquire other real property interest in properties throughout the City that are necessary to construct mobility improvements for the Corridor Construction Program in a total amount not to exceed \$23,000,000 establishing acquisition and relocation guidelines, and waiving requirements of City Code Chapter 14-3 (Relocation Benefits).

Strategic Outcome(s): Mobility; Safety.

6. Ratify execution of an agreement with Longhorn Capital Hospitality LLC, for the option to occupy

the real property located at 5812 N Interstate Highway 35, for emergency housing, supportive housing and isolation of individuals related to the COVID-19 pandemic, for a 60-day term, with an option to extend for two additional 30 day terms, for an amount not to exceed \$864,000.

**Strategic Outcome(s):** Health and Environment.

**District(s):** District 4

## **Police**

7. Approve a resolution authorizing the application for and acceptance of grant funding in the amount of \$157,222 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled Air Support Improvement Program.

**Strategic Outcome(s):** Safety.

8. Approve a resolution authorizing the application for and acceptance of grant funding in the amount of \$310,000 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled Rifle-Resistant Body Armor.

**Strategic Outcome(s):** Safety.

9. Approve an ordinance amending the Fiscal Year 2019-2020 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept and appropriate \$310,000 in grant funds from the State of Texas, Office of the Governor, Criminal Justice Division, BG-Rifle-Resistant Body Armor Grant Program for the Rifle Resistant Body Armor Project.

**Strategic Outcome(s):** Safety.

## **Public Health**

10. Authorize negotiation and execution of Amendment No. 8 with Austin Travis County Mental Health and Mental Retardation Center, dba Integral Care, to provide behavioral health services for individuals at COVID-19 Protective Lodging and Isolation Facilities, increasing funding in an amount not to exceed \$688,749 in one-time funds for the current term and for the one remaining 12-month term extension option, for a total agreement amount not to exceed \$10,676,129.

**Strategic Outcome(s):** Health & Environment.

## **Public Works**

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

**Strategic Outcome(s):** Mobility.

## **Purchasing Office**

12. Authorize negotiation and execution of two multi-term contracts with RS&H, Inc. and Ricondo & Associates Inc., to provide aviation planning 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

and subcontractor goals were applied to the solicitation. Goals were exceeded, 6.10% MBE and 7% WBE (RS&H, Inc.) and 7% MBE and 9% WBE (Ricondo & Associates Inc.)].

**Strategic Outcome(s):** Government that Works for All; Mobility.

13. Authorize award of a multi-term contract with Mobile Mini, Inc., to provide rental and purchase of onsite storage and office units and related services, for up to five years for a total contract amount not to exceed \$1,267,500.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**Strategic Outcome(s):** Health and Environment.

14. Authorize award of a multi-term contract with MEA Promos, to provide marketing collateral products, for up to five years for a total contract amount not to exceed \$3,957,800.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**Strategic Outcome(s):** Government that Works for All; Safety; Health and Environment.

15. Authorize award of a contract with Overseas Parts Distributing Inc. D/B/A Alamo BMW, to provide police motorcycles, in an amount not to exceed \$503,405.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**Strategic Outcome(s):** Mobility; Safety.

16. Authorize award of a multi-term contract with Swarco Reflex LLC, to provide reflective glass beads, for up to five years for a total contract amount not to exceed \$497,000.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D of Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities therefore, no subcontracting goals were established).

**Strategic Outcome(s):** Mobility.

17. Authorize negotiation and execution of a multi-term contract with Silvia B Kenig Inc. (MWBE), or one of the other qualified offerors to Request For Proposals 4600 LNH3020, to provide Spanish interpretation and translation services for municipal court, for up to five years for a total contract amount not to exceed \$3,832,840.

(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).

Strategic Outcome(s): Government that Works for All.

## **Sustainability**

18. Authorize negotiation and execution of an interlocal agreement with the Capital Area Council of Governments to conduct air quality studies to evaluate the impact of COVID-19 on regional air quality, for a 12 month term in an amount not to exceed \$35,000.

Strategic Outcome(s): Health and Environment.

## **Transportation**

19. Approve an ordinance authorizing negotiation and execution of an interlocal agreement with Eanes Independent School District for the partial reimbursement of an already installed pedestrian hybrid beacon in the 1100 Block of Walsh Tarlton Lane; amending the Fiscal Year 2019-2020 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept funds from Eanes Independent School District in the amount of \$32,837; and amending the Austin Transportation Department Capital Budget (Ordinance No. 20190910-001) to transfer in and appropriate \$32,837.

Strategic Outcome(s): Mobility; Safety

District(s): District 8

## **Transportation - Mobility Bond**

20. Authorize negotiation and execution of an amendment to the professional services agreement with HDR Engineering, Inc., for engineering services for the Corridor Improvements Project in the amount of \$5,000,000, for a total contract amount not to exceed \$40,058,000. Related to item 20-2836

[Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 14.01% MBE and 23.22% WBE.]

Strategic Outcome(s): Mobility

## **Item(s) from Council**

21. 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.

22. Approve an ordinance related to the compensation and benefits for the Municipal Court Clerk.

Sponsors: Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Alison Alter, Council Member Kathie Tovo, and Council Member Jimmy Flannigan

23. Approve a resolution related to the compensation and benefits for the City Clerk.

**Sponsors:** Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Alison Alter, Council Member Kathie Tovo, and Council Member Jimmy Flannigan

24. Approve a resolution reappointing Corrie Stokes as City Auditor and establishing the compensation and benefits for the City Auditor.

**Sponsors:** Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Kathie Tovo, Council Member Alison Alter, and Council Member Jimmy Flannigan

#### **Item(s) to Set Public Hearing(s)**

25. Set a public hearing related to an application by Espero Austin at Rutland, 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 Espero Austin at Rutland, located at or near 1934 Rutland Drive, Austin, Texas, 78758, within the City. (Suggested date: Thursday, September 17, 2020, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).

**District(s):** District 4

#### **Non-Consent**

##### **Austin Housing and Finance Corporation Meeting**

26. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <http://austintexas.gov/department/city-council/2020/20200903-ahfc.htm>)

##### **Public Hearings and Possible Actions**

27. Conduct a public hearing and consider an amendment to Chapter 25-4 (Subdivision) to allow a parcel of land that has obtained a minimum lot width variance from the Board of Adjustment to satisfy the minimum frontage requirement for a platting exception under Section 25-4-2.

##### **Executive Session**

28. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
29. Discuss compensation and benefits for the City Clerk (Personnel matters - Section 551.074 of the Government Code).
30. Discuss re-appointment, compensation, and benefits for the City Auditor (Personnel matters - Section 551.074 of the Government Code).
31. Discuss compensation and benefits for the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).

#### **Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)**

32. C14-2020-0049 - Planet K South Pop Rezone - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1516 South Lamar Boulevard (West Bouldin Creek Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to commercial-liquor sales (CS-1) district zoning. First Reading approved commercial-liquor sales (CS-1) district zoning on July 30, 2020. Vote: 10-1. Owner: AusPro Enterprises LP (Michael Kleinman). Applicant: Moncada Enterprises (Phil Moncada). City Staff: Kate Clark, 512-974-1237.

District(s): District 5

### **Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

33. C14-2019-0103 -9100 US-290 East- District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9100 US 290 East (Walnut Creek Watershed) from limited industrial services-conditional overlay (LI-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning. Staff Recommendation: and Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Owner/Applicant: Gladstone Commercial Corp. (Perry Linney). Agent: Drenner Group (Dave Anderson). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

34. C14H-2020-0069 - Rogers Washington Holy Cross Historic District - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property within the proposed boundaries of the Rogers Washington Holy Cross Historic District, roughly bounded by E. 21st Street on the north, Cedar Avenue on the east, E. Martin Luther King Jr. Boulevard on the south, and Chestnut Avenue (to E. 20th Street) on the west; by adding historic area (HD) combining district overlay to all existing base zoning, but making no other changes to base zoning. Staff Recommendation, Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant historic area (HD) combining district overlay to all existing base zoning for all parcels within the proposed historic district, including 1905 Chestnut Avenue as a contributing resource. City Staff: Cara Bertron, Historic Preservation Office, Planning and Zoning Department, 512-974-1446.

District(s): District 1

35. C14-2020-0071 - 2108 Prather Lane Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2108 Prather Lane (West Bouldin Creek Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to urban family residence (SF-5) district zoning. Staff and Planning Commission Recommendation: To grant urban family residence (SF-5) district zoning. Owner/Applicant: Prather Development (Donald Wait). Agent: Thrower Design (A. Ron Thrower). City Staff: Kate Clark, 512-974-1237.

District(s): District 3

36. C14-05-0112(RCA2) - AMLI South Shore - Conduct a public hearing and approve restrictive covenant amendments on property locally known as 1720 South Lakeshore Blvd (Lady Bird Lake Watershed). Staff Recommendation: To grant amendments to the restrictive covenants. Planning



Commission Recommendation: To be reviewed on August 25, 2020. Owner and Applicant: 1620 East Riverside Drive, LLC. (Taylor Bowen). Agent: Drenner Group, PC (Amanda Swor). City Staff: Kate Clark, 512-974-1237.

District(s): District 9

## Consent Agenda

### Financial Services

37. Approve a resolution adopting a preliminary Service and Assessment Plan and proposed assessment roll for the Whisper Valley Public Improvement District (Improvement Area #2) and set a public hearing to consider the adoption of the Whisper Valley Public Improvement District Improvement Area #2 assessment roll and the levying of the Improvement Area #2 assessments. (Suggested date: October 1, 2020, at Austin City Hall, 301 W. Second Street, Austin, TX).

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 1

### Management Services

38. Approve a resolution ratifying a Declaration of Local State of Disaster in response to concerns related to Hurricane Laura and consenting to continuation of the disaster declaration for a period of more than seven days.

Strategic Outcome(s): Safety.

### Parks and Recreation

39. Approve the adoption of the Walter E. Long Metropolitan Park Vision Plan as developed in conjunction with Halff Associates and the Austin Parks and Recreation Department.

Strategic Outcome(s): Health and Environment; Culture and Lifelong Learning.

District(s): District 1

### Police

40. Approve a resolution authorizing the application for and acceptance of grant funding in the amount of \$128,019 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department program titled Project Safe Neighborhoods.

Strategic Outcome(s): Safety.

### Public Health

41. Authorize negotiation and execution of Amendment No. 10 to the agreement with Central Texas Food Bank, Inc. for the provision of food and Supplemental Nutrition Assistance Program services, to increase funding in an amount not to exceed \$16,180 for the current term ending September 30, 2020 and add a fourth 12-month extension option in an amount not to exceed \$299,843, for a revised total agreement amount not to exceed \$2,154,378.

Strategic Outcome(s): Health and Environment.

42. Authorize negotiation and execution of an agreement with Northwest Austin Universal Health Clinic to provide direct mental health services to the Asian Pacific Islander community in an amount not to exceed \$100,000 for the 13-month term through September 30, 2021 with two 12-month extension options not to exceed \$100,000 per extension option, for a total agreement amount not to exceed \$300,000.

Strategic Outcome(s): Economic Opportunity and Affordability.

## **Telecommunications and Regulatory Affairs**

43. Approve an ordinance on first reading granting a ten-year renewal of the franchise to Pedernales Electric Cooperative (PEC) for use of City rights-of-way necessary to provide electric utility services to customers in PEC's certificated service area within Austin.

Strategic Outcome(s): \_ Government that Works for All.

## **Item(s) from Council**

44. Approve a resolution expressing City Council's intent to include Key Performance Indicators related to equity and displacement in a Performance Dashboard for Project Connect implementation.

Sponsors: Mayor Steve Adler, Council Member Jimmy Flannigan, Council Member Natasha Harper-Madison, Council Member Ann Kitchen, Mayor Pro Tem Delia Garza, and Council Member Leslie Pool

## **Non-Consent**

### **Executive Session**

45. Discuss legal issues related to the zoning of property located at 218 South Lamar (Lady Bird Lake Watershed) from general commercial services-vertical mixed use building (CS-V) combining district to planned unit development (PUD) zoning district (Private consultation with legal counsel -Section 551.071 of the Government Code).

## **Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

46. C14-2019-0162 - Slaughter and Cullen - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 166 West Slaughter Lane and 9012 Cullen Lane (Slaughter Creek Watershed). Applicant's Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation To grant community commercial-conditional overlay (GR-CO) combining district zoning, to change a condition of zoning. Owner: LG Slaughter and Cullen LLC (Rob Pivnick). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

47. C14-2019-0061 - This Old Wood Rezoning -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 13313 Old Gregg Lane (Harris Branch Watershed). Applicant Request: To rezone from rural residence (RR) district zoning to warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning. Owner/Applicant: Jeffrey Spector. Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Sherri

Sirwaitis, 512-974-3057.

**District(s):**

District 1