



# 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 29, 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.** Briefing on Covid-19 related matters, including a report on nursing homes. (Standing staff update)
- B2.** Update on staff response to Resolution No. 20200917-062, (SAVES Resolution), related to economic recovery due to COVID-19.

#### **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 legal issues related to funding economic recovery efforts (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 work session of September 15, 2020 and regular meeting of September 17, 2020.

### Aviation

2. Approve a resolution declaring the City of Austin's official intent to reimburse itself from revenue bonds in an amount not to exceed \$26,900,000 for Austin-Bergstrom International Airport capital improvements.

Strategic Outcome(s): Mobility.

### Capital Contracting Office

3. Authorize award and execution of a construction contract with Balfour Beatty Construction, LLC for the St. Elmo Cheatham Building Renovations project in the amount of \$1,247,733, plus a \$124,773.30 contingency, for a total contract amount not to exceed \$1,372,506.30.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievement of Good Faith Efforts with 10.34% MBE and 6.72% WBE participation.]

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

District(s): District 2

4. Authorize negotiation and execution of a job order contract with the following eight staff recommended contractors (or other qualified responders): Brown & Root Industrial Services, LLC; Jamail & Smith Construction, LP; Warden Construction Corporation; Hensel Phelps Construction Co.; Alpha Building Corporation; Centennial Contractors Enterprises, Inc.; Veliz Company, LLC (MBE); and Basic IDIQ, Inc.; for the 2020 Job Order Contract Program for City Facility Improvements for an initial two-year term with three, one-year extension options in an amount not to exceed \$48,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). MBE and WBE subcontracting opportunities for this contract will be based on individual Job Order Contracting assignments.].

Strategic Outcome(s): Government That Works for All; Economic Opportunity and Affordability; Health and Environment

5. Authorize negotiation and execution of a Competitive Sealed Proposal Agreement with SpawGlass Contractors, Inc. for construction services for the new Greater Austin Area Telecommunications Network Agency Network Operations Control Center project in an amount not to exceed \$1,672,000.

(Note: This procurement will be exempt from the City's MBE/WBE Program requirements as a public health and safety purchase.)

**Strategic Outcome(s):** Health and Environment; Safety

**District(s):** District 9

6. Authorize negotiation and execution of a professional services agreement with Toole Design Group, LLC, for Request for Qualifications Solicitation No. CLMP296, to provide engineering services for the Urban Trails Plan and Sidewalks/ADA Transition Plan Updates project in the amount of \$1,400,000.

[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 32.90% MBE and 15.80% WBE participation.].

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

7. Authorize award and execution of a construction contract with Santa Clara Construction, Ltd. (MBE), for the San Antonio Street Chilled Water Distribution Extension project in the amount of \$4,322,891.00 plus a \$432,289.10 contingency, for a total contract amount not to exceed \$4,755,180.10.

[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 78.97% MBE and 3.11% WBE participation.]

**Strategic Outcome(s):** Government That Works for All

8. 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, as the project delivery method that provides the best value to the City for renovations and additions to the Asian American Resource Center.

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

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

## **Community Court**

9. Authorize the negotiation and execution of Amendment No. 5 to the interlocal agreement with Austin Travis County Mental Health Mental Retardation Center dba Integral Care for the Homeless Outreach Street Team, to connect homeless individuals and families with services necessary to begin their process of stability and recovery, by increasing funding for the remaining 12-month renewal option in the amount of \$137,000, beginning October 1, 2020, for a total agreement amount not to exceed \$1,583,770.

**Strategic Outcome(s):** Economic Opportunity and Affordability

10. Authorize negotiation and execution of Amendment No. 4 to the interlocal agreement with the Austin Travis County Mental Health Mental Retardation Center D/B/A Integral Care for the Expanded Mobile Crisis Outreach Team, which offers a first response team for mental health crises

in collaboration with City first responders, to increase funding for the three remaining renewal options by \$1,350,000 per renewal option, for a total increase in an amount of \$4,050,000, for a total contract amount not to exceed \$12,692,145.

**Strategic Outcome(s):** Economic Opportunity and Affordability

## **Development Services**

11. Approve a resolution initiating code amendments to City Code Title 25 (Land Development) to establish a contractor registration program for building and demolition permitting.

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

## **Economic Development Department**

12. Ratify a contract amendment with the Better Business Bureau to administer a total of \$25,890,750 in emergency funds through the Austin Small Business Relief Grant, the Austin Non-Profit Relief Grant, and the Austin Creative Worker Relief Grant programs to small businesses, non-profits, and creative workers in need of relief as a result of the COVID-19 pandemic, with an option to amend and extend the term and administrative fee should additional grant funds become available to administer.

**Strategic Outcome(s):** Economic Opportunity and Affordability.

13. Authorize ratification of a contract amendment with United Way for Greater Austin to disburse a total of \$1,048,000 in emergency funds to childcare providers in need of relief as a result of the COVID-19 pandemic. The additional funding of \$148,000 comes from the Mayor and Council FY 2019-20 Operating budget, from Council Member Delia Garza's Office budget. United Way for Greater Austin's fee for administration of these funds is an amount not to exceed \$100,000 with an option to amend and extend the term and administrative fee should additional grant funds become available to administer.

**Strategic Outcome(s):** Economic Opportunity and Affordability.

## **Housing and Planning**

14. Authorize negotiation and execution of an agreement with the Austin-Travis County Collaborative for the provision and coordination of Census 2020 outreach services in an amount not to exceed \$75,000, for a total agreement amount not to exceed \$275,000.00.

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

15. Authorize negotiation and execution of an amendment to the interlocal agreement with Travis County to coordinate Census 2020 outreach and education services by hiring a program manager to increase the amount contributed by the City by \$25,000, for a total agreement amount not to exceed \$125,000.

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

16. Authorize a fee-in-lieu of on-site affordable housing for a proposed commercial development located at or near 1300 E. 5th Street, 78702, that is subject to Plaza Saltillo Transit Oriented Development Regulating Plan.

**Strategic Outcome(s):** Economic Opportunity and Affordability.

**District(s):** District 3

## **Law**

17. Authorize a legal services agreement with Foley & Lardner, LLP for representation in Bill and Karen Hertel v. City of Austin, Cause No. D-1-GN-20-004772 in the 261st District Court of Travis County, Texas for a total not-to-exceed contract amount of \$142,000.

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

## **Management Services**

18. Approve an ordinance amending Section 4-9-1 of the City Code related to restrictions on consumption of alcoholic beverages in certain areas.

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

**District(s):** District 1; District 3

## **Public Health**

19. Authorize negotiation and execution of an increase to contracts for the provision of HIV-related housing services under the U.S. Department of Housing and Urban Development, Housing Opportunities for Persons with AIDS grant, with the following providers: AIDS Services of Austin, Inc. in an amount not to exceed \$1,303,120.07 for the 12-month term beginning October 1, 2020, for a total contract amount not to exceed \$4,604,525; Project Transitions, Inc. in an amount not to exceed \$510,293 for the 12-month term beginning October 1, 2020, for a total contract amount not to exceed \$1,872,729.

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

## **Public Works**

20. Approve an ordinance authorizing negotiation and execution of an interlocal agreement with Travis County for the development and construction of Northern Walnut Creek Trail Phase 3, from the existing Southern Walnut Creek Trail at Northeast District Park to the end of Northern Walnut Creek Trail Phase 2 at IH-35; amending the Fiscal Year 2020-2021 Public Works Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept \$660,000 in funds from Travis County; and amending the Fiscal Year 2020-2021 Public Works Department Capital Budget (Ordinance No. 20200812-001) to transfer in and appropriate \$660,000 for development and construction of this project. (District 1)

**Strategic Outcome(s):** Mobility

**District(s):** District 1

## **Purchasing Office**

21. Authorize award of a multi-term contract with AGSA LLC D/B/A/PAGE GSE, to provide parts for ground power unit equipment for passenger boarding bridges, for up to five years for a total contract amount not to exceed \$501,970.

(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; Health and Environment.

22. Authorize award of a multi-term contract with Cleveland Mack Sales, Inc. D/B/A Performance Truck, to provide repair services and parts for Cummins compressed natural gas engines for up to five years, for a total contract amount not to exceed \$455,000.

(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).

Strategic Outcome(s): Mobility.

23. Authorize award of a contract with Abbott Rapid Dx North America, LLC, to provide Rapid Human Immunodeficiency Virus (HIV) test kits and controls, for a term of five years for a total contract amount not to exceed \$800,000.

(Note: Sole source contracts are exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.)

Strategic Outcome(s): Health and Environment.

24. Authorize negotiation and execution of a multi-term cooperative contract with Unifirst Holdings, Inc. D/B/A Unifirst Corporation, to provide rental and laundering of flame-resistant uniforms, for up to 63 months for a total contract amount not to exceed \$1,827,000.

(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 no subcontracting; therefore, no subcontracting goals were established).

Strategic Outcome(s): Government That Works for All; Safety.

25. Authorize negotiation and execution of a multi-term contract with Power Cost, Inc., to provide a cloud hosted energy trading and risk management solution, for up to 12 years for a total contract amount not to exceed \$4,700,000.

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

Strategic Outcome(s): Economic Affordability and Opportunity; Government That Works for All; Health and Environment.

26. Authorize negotiation and execution of a contract with Hyundai Power Transformers USA Inc., to provide a three-phase autotransformer for the Dunlap substation, in an amount not to exceed \$4,700,000.

(Note: This contract is exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

**Strategic Outcome(s):** Government That Works for All.

27. Authorize negotiation and execution of a contract with Meadows Mental Health Policy Institute for Texas, to fully implement the recommendations from the Meadows Report related to mental health response, in an amount not to exceed \$200,000.

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

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

28. Ratify a contract with Cleaning Guys LLC, to provide emergency cleanup services for lands and creeks, in the amount of \$207,000.

(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).

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

## **Telecommunications and Regulatory Affairs**

29. Approve second reading of an ordinance granting a ten-year renewal of the franchise to Pedernales Electric Cooperative 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.

## **Transportation**

30. Approve an ordinance authorizing negotiation and execution of an advance funding agreement with the Texas Department of Transportation for the Highway Safety grant funds initiative for the implementation of the Safe Systems Initiative to Address Failure to Yield project to improve safety for people walking and bicycling; amending the Fiscal Year 2020-2021 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept funds from the Texas Department of Transportation in the amount of \$182,110; and amending the Austin Transportation Department Capital Budget (Ordinance No. 20200812-001) to transfer in and appropriate \$182,110 for the implementation of the project.

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

31. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept funds from the Capital Metropolitan Transportation Authority in the amount of \$475,000; and amending the Austin Transportation Department Capital Budget (Ordinance No. 20200812-001) to transfer in and

appropriate \$475,000 in support of the interlocal agreement with the Capital Metropolitan Transportation Authority related to expansion and management of Bike Share of Austin and BCycle Austin, a station-based bike share system.

Strategic Outcome(s): Mobility; Economic Opportunity and Affordability; Health and Environment

## **Treasury Office**

32. Approve a resolution adopting the City of Austin Fiscal Year 2020-21 Investment Policy.

Strategic Outcome(s): Government that Works for All

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

33. 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.

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

34. Set a public hearing related to an application by LDG Belmont, 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 Belmont, located at or near 9100 Brown Lane, Austin, Texas, 78754, within the City. (Suggested date: Thursday, October 15, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas)
35. Set a public hearing related to an application by Springdale Manor Apartments, 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 Springdale Manor Apartments, located at or near 7601 Springdale Road, Austin, Texas, 78724, within the City. (Suggested date: Thursday, October 15, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas)
36. Set a public hearing related to an application by LDG The Conrad, 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 The Conrad, located at or near 11320 S IH 35 Frontage Road, Austin, Texas, 78748, within the City. (Suggested date: Thursday, October 15, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas).
37. Set a public hearing related to an application by LDG Walnut Trace, 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 Walnut Trace, located at or near the southeast quadrant of Highway 183 and FM 969, Austin, Texas, 78725, within the City. (Suggested date: Thursday, October 15, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas.)

District(s): District 1

## **Non-Consent**

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



38. Approve the appointment of Kathie Tovo and Elizabeth Boston to the board of directors of the Austin/Travis County Sobriety Center Local Government Corporation.

Sponsors: Health and Human Services Committee

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

39. Conduct a public hearing and consider an ordinance approving the 2020 Amended and Restated Service and Assessment Plan for the Whisper Valley Public Improvement District (District), making a finding of special benefit to the property in Improvement Area #2 of the District, adopting the Improvement Area #2 assessment roll, levying assessments for property in Improvement Area #2, approving the second amendment to the Whisper Valley PID Financing Agreement approving and authorizing a Whisper Valley PID Acquisition and Reimbursement Agreement, and declaring an emergency.

District(s): District 1

40. Conduct a public hearing and consider an ordinance amending City Title 25 related to demolition permits, including notification requirements.

### **Executive Session**

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

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

42. C814-2018-0122 - Circuit of the Americas PUD - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 9201 Circuit of the Americas Boulevard (Dry Creek and Maha Watersheds). Applicant Request: To zone from interim-rural residence (I-RR) district zoning to planned unit development (PUD) district. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First reading approved planned unit development (PUD) district zoning, with conditions, on September 17, 2020. Vote: 10-0. Council Member Casar off the dais. Owner/Applicant: Circuit of the Americas, LLC. Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 2

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

43. C14-2020-0038 - 508 Kemp Street - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 508 Kemp Street (Country Club East Watershed). Applicant Request: To rezone from family residence - neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence - neighborhood plan (SF-6-NP) combining district zoning. First Reading: Approved townhouse and condominium residence - neighborhood plan (SF-6-NP) combining district zoning on August 27, 2020. Vote: 7-2. Council Members Alter and Tovo voted nay. Council Members Pool and Kitchen abstained. Owner: Johnny A. Steen. Applicant: Drenner Group (Leah M. Bojo).

City Staff: Kate Clark, 512-974-1237. A valid petition has been filed in opposition to this rezoning request.

District(s): District 3

44. C14-2020-0057 - One Way Out - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known 5601 Nixon Lane (Walnut Creek Watershed). Applicant Request: To rezone from community commercial-conditional overlay (GR-CO) combining 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 grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner/Applicant: Gyro Plus LLC (Mohammad Arami). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

45. C14-2020-0031.SH - E MLK Rezoning- Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known 5201 East Martin Luther King Jr. Boulevard (Fort Branch Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning, as amended. First reading approved multifamily residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district zoning, on August 27, 2020. Vote: 11-0. Owner/Applicant: 5201 E MLK LP (Ryan Walker). Agent: Thrower Designs (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

46. NPA-2020-0019.01- Texas International Education Consortium - Conduct a public hearing and approve an ordinance amending Ordinance No. 20040826-056 the Central Austin Combined Neighborhood Plan, an element to the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1103 W. 24th Street (Shoal Creek Watershed) from Office to Mixed Use land use. Staff and Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: Texas International Education Consortium (Robin Lerner). Agent: Drenner Group, PC (Leah Bojo). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 9

47. C14-2020-0026 - Texas International Education Consortium - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1103 West 24th Street (Shoal Creek Watershed). Applicant Request: To rezone from general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning to community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-neighborhood plan combining district zoning. Owner/Applicant: Texas International Education Consortium (Robin Lerner). Agent: Drenner Group, PC (Leah Bojo). City Staff: Mark Graham, 512-974-3574.

District(s): District 9

48. C14H-2019-0161 - Mary Freeman Baylor House. Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1607 W. 10th Street. 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. Applicants: Thomas Schiefer and Meghan Elena Rosales, owners. City Staff: Steve Sadowsky, Historic Preservation Office, 512-974-6454.

District(s): District 9

49. C14H-2002-0010 - Schieffer House - Negro Agricultural Extension Office. Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1154 Lydia Street. Applicant: City of Austin. Applicant's Request: To rezone from commercial-liquor sales-neighborhood conservation-neighborhood plan (CS-1-NCCD-NP) combining district zoning to commercial-liquor sales-historic landmark-neighborhood conservation-neighborhood plan (CS-1-H-NCCD-NP) combining district zoning. Staff Recommendation, Historic Landmark Commission Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales-historic landmark-neighborhood conservation-neighborhood plan (CS-1-H-NCCD-NP) combining district zoning. Applicant: City of Austin. City Staff: Steve Sadowsky, Historic Preservation Office, 512-974-6454.

District(s): District 1

50. C14-2020-0055 - Cooper Tract Commercial -Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 10001 East US Highway 290 (Decker Creek and Gilleland Creek Watersheds). Applicant Request: To zone from interim-rural residence (I-RR) district zoning to commercial highway services (CH) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant commercial highway services (CH) district zoning on Tract 1 and general commercial services-mixed use (CS-MU) combining district zoning on Tract 2. Owner/Applicant: Cooper Milly Holdings LLC (Leighton Lord). Agent: Husch Blackwell LLP (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122

District(s): District 1

## Consent Agenda

### Animal Services Office

51. Authorize negotiation and execution of an eighth renewal to the interlocal agreement with Travis County for the City's provision of animal services, for 3-month period beginning October 1, 2020 in an amount not to exceed \$518,717 to be paid to the City.

Strategic Outcome(s): Health and Environment.

### Budget

52. Approve an ordinance amending certain Fiscal Year 2020-2021 department budgets to fund the Save Austin's Vital Economic Sectors (SAVES) Fund to support COVID-19 emergency relief as follows: the Financial Services Department Capital Budget (Ordinance No. 20200812-001) to transfer out and appropriate \$6,000,000 to the General Fund Emergency Reserve Fund; and the Fiscal Year 2020-2021 Building Services Department Capital Budget (Ordinance No. 20200812-001) to transfer out and appropriate \$500,000 to the General Fund Emergency Reserve Fund; the Pay for Success Reserve Fund Operating Budget (Ordinance No. 20200812-001) to transfer out and appropriate \$4,800,000 to the General Fund Emergency Reserve Fund; and the Austin Transportation Department Mobility Fund Operating Budget (Ordinance No. 20200812-001) to transfer out and appropriate \$3,700,000 to the General Fund Emergency Reserve Fund; and declaring an emergency.

Strategic Outcome(s): Government that Works for All

53. Approve an ordinance amending Exhibit "A" of Ordinance No. 20200812-002 (Fiscal Year 2020-2021 Fee Schedule) to increase the amount of the Transportation User Fee; and declaring an emergency.

Strategic Outcome(s): Government that Works for All

### City Clerk

54. Approve an ordinance amending Ordinance No. 20200917-096, which amended Ordinances 20200812-009 and 20200812-010 ordering the November 3, 2020 general and special municipal elections, to repeal and replace Exhibits C, D, E, F, G, and H that adopt election day and early voting polling places, attach executed contracts for election services and executed joint election agreements, and list election day judges, central counting station staff, and early voting ballot board members; and declaring an emergency.

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

### Economic Development Department

55. Approve a resolution creating the Austin Economic Development Corporation (Corporation), a Local Government Corporation under Subchapter D, Chapter 431, Texas Transportation Code; approving and adopting the corporation's Articles of Incorporation and Bylaws; and appointing the initial Board.

Strategic Outcome(s): Economic Opportunity and Affordability.

## Management Services

56. Approve a resolution authorizing amendments to the articles of incorporation of the Austin/Travis County Sobriety Center Local Government Corporation.

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

## Public Health

57. Ratify Amendment No. 2 to the agreement with the Austin Public Education Foundation, dba Austin Ed Fund, to provide emergency food access for caregivers of students in Austin-area schools, increasing funding in an amount not to exceed \$369,728 and extending the current term through December 30, 2020, for a revised total agreement amount not to exceed \$2,689,078.

Strategic Outcome(s): Health and Environment; Economic Opportunity and Affordability.

58. Ratify an agreement with Austin Voices for Education and Youth to serve as an information and referral call center for High Risk Workers affected by COVID-19 in an amount not to exceed \$500,000 for the term ending on December 30, 2020.

Strategic Outcome(s): Economic Opportunity and Affordability.

59. Authorize negotiation and execution of an eighth renewal to the interlocal agreement with Travis County for the City's provision of public health services for a 3-month period beginning October 1, 2020 in an amount not to exceed \$1,164,658 to be paid to the City.

Strategic Outcome(s): Health and Environment; Economic Opportunity and Affordability.

## Watershed Protection Department

60. Approve a resolution authorizing the City Manager to apply for a grant from the Texas Water Development Board for up to \$4,450,000 from the Flood Infrastructure Fund for regional floodplain studies.

Strategic Outcome(s): Safety.

## Item(s) from Council

61. Approve a resolution relating to Austin Resource Recovery staff and resuming regular Austin Resource Recovery services.

Sponsors: Council Member Alison Alter, Council Member Gregorio Casar, Council Member Paige Ellis, and Council Member Kathie Tovo

62. Approve a resolution initiating the rezoning of property generally located south of 15th Street, west of IH-35 Frontage Road, east of Red River Street, and north of 12th Street, and known as the "Central Health Property" from public (P) zoning district to planned unit development (PUD) zoning district.

Sponsors: Council Member Natasha Harper-Madison, Council Member Gregorio Casar, Mayor Steve Adler, and Council Member Paige Ellis

## Non-Consent

## Executive Session

63. Discuss legal issues related to funding economic recovery efforts (Private consultation with legal counsel- Section 551.071 of the Government Code).

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

64. Conduct a public hearing and consider an ordinance amending Ordinance No. 20200812-002 to set the Fiscal Year 2020-21 power supply adjustments, community benefit charges, and regulatory charges for Austin Energy.

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

65. NPA-2019-0016.01 - Shady Lane Mixed Use -Approve third reading of an ordinance amending Ordinance No. 20030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 914 Shady Lane (Boggy Creek Watershed) from Single Family and Water land use to Neighborhood Mixed Use and Higher Density Single Family land use. First Reading approved on July 30, 2020. Vote 11-0. Second Reading approved on September 17, 2020. Vote: 10-0, Council Member Casar was off the dais. Owner/Applicant: Kimberly Beal and Stephanie Scherzer. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, (512) 974-2695.

**District(s):** District 3

66. C14-2019-0098 - Shady Lane Mixed Use - Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 914 Shady Lane (Boggy Creek Watershed). Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning (Tract 1), townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning (Tract 2A), and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning (Tract 2B). First Reading approved on July 30, 2020. Vote 11-0. Second Reading approved on September 17, 2020. Vote: 10-0, Council Member Casar was off the dais. Owner/Applicant: Kimberly Beal and Stephanie Scherzer. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning case.

**District(s):** District 3