



**Thursday, December 3, 2020**

The City Council will convene at 10:00 AM on  
Thursday, December 3, 2020 via  
Videoconference  
<http://www.austintexas.gov/page/watch-atxn-live>



Mayor Steve Adler  
Mayor Pro Tem Delia Garza, District 2  
Council Member Natasha Harper-Madison, District 1  
Council Member Sabino “Pio” Renteria, District 3  
Council Member Gregorio Casar, District 4  
Council Member Ann Kitchen, District 5  
Council Member Jimmy Flannigan, District 6  
Council Member Leslie Pool, District 7  
Council Member Paige Ellis, District 8  
Council Member Kathie Tovo, District 9  
Council Member Alison Alter, District 10

For meeting information, contact the City Clerk, (512) 974-2210

**Public comment will be allowed via telephone; no in-person input will be allowed. All speakers must register in advance (Wednesday, December 2, 2020 by Noon). All public comment will occur as follows:**

**For all items on the consent agenda, Public Hearings and all non-consent items other than Zoning, public comment will be taken at 10:00 a.m.**

**For all zoning items public comment will be taken at 2:00 p.m.**

**To speak remotely at the Council Meeting, residents must:**

- Submit the online registration form found at:  
[https://cityofaustin.formstack.com/forms/austin\\_city\\_council\\_speaker\\_signup](https://cityofaustin.formstack.com/forms/austin_city_council_speaker_signup). Registration must be received by 12 p.m. on Wednesday, December 2nd.
- Once the registration form is received, residents will receive either an email or phone call providing the telephone number to call on Thursday.
- Speakers must call in at least 45 minutes prior to meeting start in order to speak, late callers will not be accepted and will not be able to speak.
- Handouts or other information may be emailed to [City.Clerk@austintexas.gov](mailto:City.Clerk@austintexas.gov) by 12 p.m. on Wednesday. This information will be provided to Mayor and Council in advance of the meeting.
- Any speaker who speaks prior to being called upon by the Mayor will be disconnected and will not be able to rejoin the call.
- If you need Spanish Translation Services, you must email [City.Clerk@austintexas.gov](mailto:City.Clerk@austintexas.gov) at least 48 hours in advance of the meeting.
- Residents may watch the Council Meeting online at:  
<http://www.austintexas.gov/page/watch-atxn-live>

*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.**

**10:00 AM – City Council Convenes**

**Consent Agenda**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council work session of November 10, 2020, regular meeting of November 12, 2020, and special called of November 17, 2020.

**Austin Energy**

2. Authorize negotiation and execution of a three-year agreement with the Electric Power Research Institute for research programs related to advanced distribution operations and planning, more efficient transmission and distribution operations, integration of distributed energy resources, customer technologies, and electric vehicles in an amount not to exceed \$1,200,000.

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

**Capital Contracting Office**

3. Authorize negotiation and execution of a professional services agreement with the following six staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP305: HDR Engineering, Inc., Geosyntec Consultants, Inc., Freese & Nichols, Inc., Jacobs Engineering Group, Inc., Doucet & Associates, Inc.(WBE), and Carollo Engineers, Inc., for engineering services for the 2021 Stream Restoration and Stormwater Treatment Engineering Services Rotation List in an amount not to exceed \$21,000,000.

[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 15.80% MBE and 15.80% WBE participation.]

Strategic Outcome(s): Safety; Health and Environment

4. Authorize award and execution of a construction contract with PGC General Contractors, LLC, for the Dalton Lane Site Utilities and Service Center Improvements project in the amount of \$2,064,000 plus a \$206,400 contingency, for a total contract amount not to exceed \$2,270,400.

[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 17.67% MBE and 2.25% WBE participation.]

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

5. Authorize award and execution of a construction contract with Balfour Beatty Construction Group

Inc., for the Zaragoza Warehouse Fire Sprinkler Upgrade project in the amount of \$700,000.00 plus a \$70,000.00 contingency, for a total contract amount not to exceed \$770,000.

[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 achievements of Good Faith Efforts with 35.32% MBE and 0.00% WBE participation.]

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

## City Clerk

6. Approve an ordinance amending City Code Section 2-1-140 to add the Public Safety Commission as a non-voting member to the Downtown Commission.

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

## Development Services

7. Approve an ordinance reauthorizing and modifying the pilot program adopted by Ordinance No. 20200604-047 that authorized specific businesses to use private parking lots and public right-of-way for expanded business operations.

Strategic Outcome(s): Government that Works for All, Economic Opportunity and Affordability.

## Economic Development Department

8. Authorize negotiation and execution of one-year contracts, with four renewal options of one year each, with the Multi-Ethnic Chamber Alliance chambers of commerce and the Austin LGBT Chamber of Commerce to provide business development, economic development, and recruitment and retention services in an amount not to exceed \$1,150,850.00. Staff recommends the equitable funding model to allocate award amounts to each chamber of commerce, as outlined in the Equitable Chamber Funding Final Report.

Strategic Outcome(s): Economic Opportunity and Affordability.

9. Authorize negotiation and execution of an exclusive negotiation agreement with Aspen Heights Partners, for terms governing a master developer contract for the redevelopment of 1215 Red River and 606 East 12th, the former HealthSouth tract.

MBE/WBE: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B 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 in this solicitation phase, but will be negotiated in the contracting phase.

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

District(s): District 1

10. Approve a resolution amending the bylaws of the Austin Economic Development Corporation (AEDC) to include nominating entities for the AEDC Board of Directors.

Strategic Outcome(s): Economic Opportunity and Affordability.

11. Approve a resolution authorizing the creation of temporary Chapter 380 programs that support tenants operating a childcare business, live-music venue, arts venue, or restaurant/bar and exempting these temporary Chapter 380 programs from the requirements of Resolution No. 20180830-056.  
*Strategic Outcome(s):* Economic Opportunity and Affordability.
12. Approve a resolution to establish enhanced program guidelines for the Austin Legacy Business Relief Grant, a \$5,000,000 program to help support Austin-based live music venues impacted by the COVID-19 pandemic.  
*Strategic Outcome(s):* Economic Opportunity and Affordability.
13. Approve a resolution to establish enhanced program guidelines for the Austin Live Music Venue Preservation Fund, a \$5,000,000 program to help support Austin-based live music venues impacted by the COVID-19 pandemic.  
*Strategic Outcome(s):* Economic Opportunity and Affordability.

## **Fire**

14. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Fire Department Capital Budget (Ordinance 20200812-001) to increase appropriations by \$2,000,000 for the design of the Loop 360 Fire/EMS station. Related to item #15.  
*Strategic Outcome(s):* Safety.  
  
*District(s):* District 10
15. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of certificates of obligation in the amount of \$2,000,000 to be issued for the design of the Loop 360 Fire/EMS station. Related to item #14.  
*Strategic Outcome(s):* Safety.  
  
*District(s):* District 10

## **Housing and Planning**

16. Approve a resolution initiating zoning and rezoning and necessary neighborhood plan amendments for properties owned by the University of Texas System known as the Brackenridge tracts, generally located along Lake Austin Boulevard west of Hearn Street, including Lions Municipal Golf Course; the Pickle Research Campus West, generally located at the southwest corner of the intersection of Braker Lane and North MoPac Expressway; the Gateway tract, generally located at 1624 West 6th Street; and the Sematech tract, generally located at the northwest corner of the intersection of E Oltorf Street and Montopolis Drive.  
*Strategic Outcome(s):* Economic Opportunity and Affordability  
*District(s):* District 3; District 9; District 7; District 10

## **Law**

17. Authorize negotiation and execution of an amendment to the legal services agreement with Lloyd Gosselink Rochelle & Townsend, P.C. for legal services related to City of Allen, Texas et al v.

Time Warner Cable, LLP et al Cause No. 6:19-cv-345 in the United States District Court Western District of Texas, Waco Division in the amount of \$75,480 for a total contract amount not to exceed \$135,480.

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

## Office of Real Estate Services

18. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 3.1719 acres, more or less, situated in the Thomas Anderson Survey No. 90, Abstract No.28, Travis County, Texas, save and except those portions of said tract which were conveyed to the State of Texas in those deeds recorded under Document Nos. 2000147487 and 2019170519 of the Official Public Records of Travis County, Texas, located at 6901 Pasture Road, Austin, Texas from Cindee J. Schieffer and Marilynne Cox, for a total amount not to exceed \$425,000.00, including closing costs.

Strategic Outcome(s): Health and Environment.

District(s): District 8
19. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple Lot 1, Harry Terrio Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 14, Page 64 of the Plat Records of Travis County, Texas, located at 5613 Joe Sayers Avenue, Austin, Texas from William Robin Whiteside and Patricia Ann Whiteside, for a total amount not to exceed \$113,000.00 including closing costs.

Strategic Outcome(s): Health and Environment.

District(s): District 7
20. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 5.001 acres, more or less, situated in the William Cannon League, Abstract No. 6, being a portion of Lot 3, J.G. and Henry Fitzhugh Subdivision, a subdivision of record in Volume 1, Page 57 of the Plat Records of Travis County, Texas, located at 7410 Cooper Lane, Austin, Texas from Scott Thomas Branyon and Kathrynne Ann Stienke, for a total amount not to exceed \$2,195,000.00 including closing costs.

Strategic Outcome(s): Health and Environment

District(s): District 5
21. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple Lots 1, 2, 3, 4 and 5 of Block "G", College Heights Addition, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 3, Page 4 of the Plat Records of Travis County, Texas, located at 1901, 1903, and 1907 E 11th Street as well as 1904 and 1908 College Row, Austin, Texas from Renaissance Family Properties LP, a Texas Limited Partnership, for a total amount not to exceed \$2,220,000.00 including closing costs.

Strategic Outcome(s): Health and Environment

District(s): District 1
22. Authorize negotiation and execution of all documents and instruments necessary or desirable to convey to the State of Texas in fee simple approximately .0600 acre of land out of the James P. Wallace Survey, Abstract No. 57, Travis County, Texas, conveyed to the City of Austin and

recorded in Document No. 2008196617, located at 7211 N IH 35 for the Texas Department of Transportation Project locally known as I-35 From Rundberg Lane to US 290 East for the amount of \$34,346.

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

District(s): District 4

23. Authorize the negotiation and execution of a lease agreement with an option to purchase with 3423 Holdings, LLC, a Texas limited liability company, for approximately 30,000 square feet of office space for the Downtown Austin Community Court, located at 1719 East 2nd Street, for a 120 month lease with one ten-year extension option, in an amount not to exceed \$21,562,500.

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

District(s): District 3

## Police

24. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$300,000 in additional grant funds from the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the City of Austin Intellectual Property Enforcement.

Strategic Outcome(s): Safety

## Purchasing Office

25. Authorize negotiation and execution of a contract with Big Analytix LLC, to provide an enterprise electric utility report repository, for a term of five years in an amount not to exceed \$5,000,000.

(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): Government that Works for All.

26. Authorize award of a multi-term contract with Vanguard Utility Service, Inc. D/B/A VUS, Inc., to provide accuracy testing of large commercial and multi-family water meters, for up to five years for a total contract amount not to exceed \$1,740,000.

(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): Government That Works for All.

27. Authorize award of a multi-term contract with Pure Technologies US Inc. D/B/A Wachs Water Services, to provide leak detection services, for up to five years for a total contract amount not to exceed \$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 services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Health and Environment.

28. Authorize negotiation and execution of four multi-term cooperative contracts to provide pharmaceutical and clinic supplies, with McKesson Medical-Surgical, Inc.; Henry Schein, Inc.; Cardinal Health; and Medline Industries, Inc.; each for a term of up to 27 months, for total contract amounts not to exceed \$2,000,000, divided among the contractors.

(Note: This procurement 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 procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Health and Environment.

29. Authorize negotiation and execution of an amendment to an existing contract with Nalco Company LLC D/B/A Nalco Company, for continued specialty chemical water treatment services, for an increase in the amount of \$2,225,250, for a revised total contract amount not to exceed \$11,126,250.

(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 goods and services required for this contract, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established).

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

30. Authorize negotiation and execution of a multi-term contract with Creative Consumer Research Inc., to provide market research studies, for up to five years for a total contract amount not to exceed \$1,500,000.

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

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

31. Authorize negotiation and execution of a contract with Power Monitors, Inc., to provide voltage recorders, in an amount not to exceed \$105,000.

(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): Safety; Government That Works for All.

32. Authorize negotiation and execution of a multi-term contract with Utilities International, Inc., or one of the other qualified offerors to Request For Proposals (RFP) 1100 BDH3001REBID, to provide a financial planning and regulatory reporting software solution, for up to six years for a total contract



amount not to exceed \$3,750,000.

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

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

- 33.** Authorize award of four multi-term contracts to provide cleaning and disinfection services in response to COVID-19, with S E Packages Inc. D/B/A Tres Mujeres Construction (WBE); Alee LLC D/B/A Alee Commercial Cleaning Solutions; GermSweep LLC; and Majestic Services Inc. (MBE); each for up to five years for total contract amounts not to exceed \$18,130,000, divided among the contractors.

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

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

- 34.** Authorize negotiation and execution of five multi-term contracts to provide roofing maintenance, repairs, and supplies, with RYCARS Construction LLC (MBE); Canalco, Inc. (MBE); LD Tebben Company Inc.; Tecta America Austin LLC; and Empire Roofing Companies Inc.; each for up to five years for total contract amounts not to exceed \$24,524,000, divided among the contractors.

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

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

- 35.** Authorize negotiation and execution of a multi-term contract with Sedgwick Claims Management Services, Inc., to provide workers' compensation claims administration services, for up to five years for a total contract amount not to exceed \$7,993,000.

(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 services required for this solicitation, there were no subcontracting opportunities, therefore, no subcontracting goals were established. However, the recommended contractor identified subcontracting opportunities).

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

- 36.** Authorize negotiation and execution of two multi-term cooperative contracts with GovDeals, Inc. and Gaston & Sheehan Auctioneers D/B/A Gaston & Sheehan Auctioneers & Real Estate, to provide auction services, each for up to five years for an estimated revenue amount of \$6,550,000,

combined from both contractors.

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

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

37. Authorize negotiation and execution of a contract with the University of Texas Rio Grande Valley, to provide training and coaching for cooperatively owned businesses, for a term of one year in an amount not to exceed \$75,000.

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

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

38. Authorize negotiation and execution of a contract with Mark H. Walsh, to provide business and financial advisory services in support of the City's emergency purchasing and logistics operations, financial systems and related business process improvements, for a term of one year in an amount not to exceed \$175,000.

(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): Government That Works for All.

## **Transportation**

39. Approve an ordinance waiving fees in an amount not to exceed \$1,700,000, for a total amount of fees waived not to exceed \$12,000,000, setting a fee schedule for temporary use of right-of-way fees, and authorizing an amendment to the interlocal cooperation agreement with the Texas facilities commission related to the construction of phase one of the 2016 Texas Capitol Complex Master Plan.

Strategic Outcome(s): Mobility; Government that Works for All; Economic Opportunity and Affordability

District(s): District 1; District 9

40. Approve an ordinance waiving right-of-way fees in an amount not to exceed \$3,300,000 related to the realignment of Red River Street between 12th and 15th Streets by Travis County Healthcare District doing business as Central Health.

Strategic Outcome(s): Mobility; Government that Works for All; Economic Opportunity and Affordability

District(s): District 1

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

41. 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.
42. Approve an ordinance amending Ordinance No. 820401-D, to eliminate the limitations of the use of Community Development Block Grant Funds for healthy food retail.
- Sponsors: Mayor Pro Tem Delia Garza, Council Member Gregorio Casar, Council Member Natasha Harper-Madison, Mayor Steve Adler, and Council Member Paige Ellis
43. Approve an ordinance reauthorizing the health authority to adopt rules to protect individuals from COVID-19, amending the expiration date in Ordinance No. 2020709-003, and creating an offense and penalty.
- Sponsors: Mayor Steve Adler, Mayor Pro Tem Delia Garza, Council Member Kathie Tovo, Council Member Paige Ellis, and Council Member Gregorio Casar
44. Approve a resolution supporting House Bill 84, authored by Representative Gina Hinojosa, related to repealing the prohibition on inclusionary zoning.
- Sponsors: Council Member Leslie Pool, Council Member Gregorio Casar, Council Member Ann Kitchen, and Council Member Kathie Tovo
45. Approve a resolution directing the City Manager to eliminate barriers to parking while participating in an election.
- Sponsors: Council Member Jimmy Flannigan, Council Member Gregorio Casar, Mayor Pro Tem Delia Garza, and Council Member Natasha Harper-Madison
46. Approve a resolution directing the City Manager to establish an Iconic Venue Fund that provides seed funding to allow the Austin Economic Development Corporation to implement as a project, historical restoration and preservation projects, and/or visitor information centers as provided for under Texas Tax Code Sections 351.001(8) and 351.101.
- Sponsors: Council Member Ann Kitchen, Council Member Leslie Pool, Council Member Kathie Tovo, and Council Member Alison Alter
47. Approve a resolution approving amendments to the hotel operating agreement between Austin Convention Enterprises, Inc. and Hilton Management LLC.
- Sponsors: Council Member Gregorio Casar, Council Member Kathie Tovo, Council Member Ann Kitchen, Mayor Pro Tem Delia Garza, and Council Member Alison Alter
48. Approve a resolution directing the City Manager to support a partnership between Downtown Austin Community Court, the Homeless Outreach Street Team, and Integral Care for expanded behavioral health resources for individuals experiencing homelessness, to identify available resources for expanding behavioral health programs, and to return with the appropriate items to authorize funding these programs.
- Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Ann Kitchen, and Council Member Sabino "Pio" Renteria

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

49. Set a public hearing to consider an ordinance amending Ordinance No. 20200812-002 to

implement a new Customer Assistance Program discount for water customers residing in master-metered multifamily residences. (Suggested date: December 10, 2020, Austin City Hall, 301 W. Second Street, Austin, Texas)

## **Non-Consent**

### **10:30 AM - Austin Housing and Finance Corporation Meeting**

50. 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/2020/20201203-ahfc.htm>).

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

51. Conduct a public hearing and consider second and third readings of an ordinance adopting the street impact fee land use assumptions, street impact fee capacity improvements plan, street impact fee service area boundaries, and street impact fees. Related to item #52
52. Conduct a public hearing and consider second and third readings of an ordinance amending City Code Title 25 (Land Development) to include a street impact fee program. Related to item #51.

### **12:00 PM - Citizen Communications: General**

Jesus Mendoza – Electro Hyper Sensitivity

Mat Peck – Inadequate Homelessness Response from City Departments

Teresa White – Homeless camp in Gillis park, a Galindo neighborhood park.

Michael Oyler – Healthy Streets

### **Executive Session**

53. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
54. Discuss legal issues related to the Fayette Power Project (Private consultation with legal counsel - Section 551.071 of the Government Code).
55. Discuss real estate matters related to the purchase, exchange, lease, or value of real property located at 1215 Red River and 606 East 12th, the former Health South tract (Real property - Section 551.072 of the Government Code ).
56. Discuss legal issues related to the Austin Tourism Public Improvement District (Private consultation with legal counsel - Section 551.071 of the Government Code).

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

57. C14-2020-0096 - 3707 S 2nd Street - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 3707 S 2nd Street (West Bouldin Creek Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to general office - mixed use (GO-MU) combining district zoning, as amended. First Reading approved general office - mixed use (GO-MU) combining district zoning on November 12, 2020. Vote 10-0. Owner: 3707 S. 2nd Property, LP (Justin Albright). Applicant: Armbrust & Brown (Amanda Surman). City Staff: Kate Clark, 512-974-1237.

District(s): District 3

## 2:00 PM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

58. C14-2020-0057 - One Way Out - Conduct a public hearing and approve second and third readings of 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. First reading approved community commercial-mixed use (GR-MU) combining district zoning on October 1, 2020. Vote 11-0. Owner/ Applicant: Gyro Plus LLC (Mohammad Arami). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

59. C814-2018-0121 - 218 S. Lamar - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 218 South Lamar Boulevard (Lady Bird Lake Watershed). Applicant's request: To rezone from general commercial services-vertical mixed use building (CS-V) combining district zoning to planned unit development (PUD) district zoning, with conditions. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First reading approved on September 17, 2020. Vote 7-4, Council Members Alter, Kitchen, Pool, Tovo - nay. Owner/Applicant: Michael Pfluger, William Reid Pfluger & the Pfluger Spousal Irrevocable Trust. Agent: Drenner Group PC (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 5

60. NPA-2019-0003.01 - David Chapel Missionary Baptist Church- Conduct a public hearing and approve an ordinance amending Ordinance No. 19990715-113 the Chestnut 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 2201, 2203, 2205, 2207, 2209, 2211, 2301 E. Martin Luther King, Jr. Blvd; 1805, 1807 Ferdinand Street and 1803, 1805, 1807 Chestnut Ave. (Boggy Creek Watershed) from Civic and Single Family to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on November 24, 2020. Owner/Applicant: David Chapel Missionary Baptist Church. Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Maureen Meredith, (512) 974-2695.

District(s): District 1

61. C14-2020-0105 - David Chapel Missionary Baptist Church - Tract 1 (Main Tract) - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2201, 2203, 2205, 2207, 2209, 2211 E. MLK Jr. Blvd. and 1807 Ferdinand Street

(Boggy Creek Watershed). Applicant Request: To rezone from public-neighborhood plan (P-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: Pending. Planning Commission Recommendation: To be heard November 24, 2020. Owner/Applicant: David Chapel Missionary Baptist Church (Joseph C. Parker, Jr.). Agent: Husch Blackwell (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

62. C14-2020-0106 David Chapel Missionary Baptist Church - Tract 3 (Northeast Tract)- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2301 E. Martin Luther King Jr. Boulevard (Boggy Creek Watershed). Applicant Request: To rezone from public-neighborhood plan (P-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: Pending. Planning Commission Recommendation: To be reviewed November 24, 2020. Owner/Applicant: David Chapel Missionary Baptist Church (Joseph C. Parker, Jr.). Agent: Husch Blackwell (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

63. C14-2020-0107 David Chapel Missionary Baptist Church - Tract 4 (Southeast Tract) - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1803, 1805, and 1807 Chestnut Avenue (Boggy Creek Watershed). Applicant Request: To rezone from public-neighborhood plan (P-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: Pending. Planning Commission Recommendation: To be reviewed November 24, 2020. Owner/Applicant: David Chapel Missionary Baptist Church (Joseph C. Parker, Jr.). Agent: Husch Blackwell (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122

District(s): District 1

64. C14-2020-0093 - 4329 S Congress Avenue - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4329 and 4341 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: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner: South Congress Development LLC. Agent: Drenner Group PC (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 3

65. NPA-2020-0016.03 - 1135 Gunter St. -Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, 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 1129 ½ and 1135 Gunter Street (Boggy Creek Watershed) from Commercial and Single Family to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use land use. Owners/Applicants: 1135 Gunter Partners, LP (Tract 1) and Renaissance Family Properties, LP (Tract 2). Agent: Armbrust and Brown, PLLC (Michael Whellan). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 3

66. C14-2020-0083 1135 Gunter St. - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1129-1/2 and 1135 Gunter Street (Boggy Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning and family residence-neighborhood plan (SF-3-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. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owner/Applicant: 1135 Gunter Partners, LP and Renaissance Family Properties, LP. Agent: Armbrust & Brown, LLP (Michael Whellan). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 3

67. NPA-2020-0016.02 - Trailhead Phase II -Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, 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 1101 Shady Lane (Boggy Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: SL4 Airport, LP (John Kiltz). Agent: Land Use Solutions, LLC (Michele Haussmann). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 3

68. C14-2020-0082 - Trailhead Phase II - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1101 and 1109 Shady Lane (Boggy Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning and community commercial-neighborhood plan (GR-NP) combining district zoning to general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning. Owner: SL4 Airport, LP (John Kiltz). Agent: Land Use Solutions, LLC (Michele Haussmann). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 3

69. C14-2020-0108 Rogers Ln Project - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5206 and 5208 Rogers Lane (Walnut Creek Watershed) from single family residence-standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Applicant: Capital River Group LLC- Series 24 (Stuart Carr). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

70. C14-2020-0109 - 411 Radam Ln - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 411 Radam Lane (Williamson Creek Watershed). Applicant's Request: To rezone from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning to limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning, to change conditions of zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district zoning, to change conditions of zoning. Owner: CCD-Radam Ln, Ltd. (Greg Keshishian). Agent: Land Strategies, Inc. (Erin Welch). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 3

71. C14-2020-0097 - Evergreen at Mary - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1709 & 1803 Evergreen Ave and 1204 W Mary St (West Bouldin Creek Watershed). Applicant Request: To rezone Tract 1 from family residence (SF-3) district zoning and general commercial services (CS) district zoning to general commercial services - mixed use (CS-MU) combining district zoning; and Tract 2 from multifamily residence medium density - historic landmark (MF-3-H) combining district to general commercial services - mixed use - historic landmark (CS-MU-H) combining district. Staff, Historic Landmark Commission and Planning Commission Recommendation: To grant general commercial services - mixed use (CS-MU) combining district zoning for Tract 1 and general office - mixed use - historic landmark (GO-MU-H) combining district zoning for Tract 2. Owner: Helsinki Partners LLC (Jesse Boskoff). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Kate Clark, 512-974-1237.

District(s): District 5

72. C14-2020-0091 - Johnny Morris Road Light Industrial -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6215 ½ Johnny Morris Road (Walnut Creek Watershed). Applicant Request: To rezone from limited industrial services-conditional overlay (LI-CO) combining district zoning and warehouse limited office-conditional overlay (W/LO-CO) combining district zoning to limited industrial services (LI) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning. Owner/Applicant: Texas Coldworks, LLC (Christian Garces). Agent: Kimley-Horn (Harrison M. Hudson, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 1

73. C14-2020-0092 - 13505 Burnet Road Rezoning -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 13505 Burnet Road



(Walnut Creek Watershed). Applicant Request: To rezone from industrial park (IP) district zoning to multifamily residence-moderate-high density (MF-4) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence-medium density (MF-3) district zoning. Owner/Applicant: Grand HP, Ltd. (Richard Hill). Agent: Smith Robertson LLP (David Hartman). City Staff: Sherri Sirwaitis, 512-974-3057.

**District(s):** District 7

74. NPA-2019-0015.01-5010 & 5102 Heflin Lane - Conduct a public hearing and approve an ordinance amending Ordinance No.021107-Z-11, the East MLK 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 5010 and 5102 Heflin Lane, (Fort Branch Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation and Planning Commission Recommendation: To Grant Higher Density Single Family land use. Owner: Heflin Phase I LLC: Agent: Ron Thrower; Thrower Design. City Staff: Kathleen Fox, (512) 974-7877.

**District(s):** District 1

75. C14-2020-0022 5010 & 5102 Heflin Lane- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5010 and 5102 Heflin Lane (Fort Branch Watershed). Applicant Request: To rezone from single family residence small lot-neighborhood plan (SF-4A-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Owner/Applicant: Heflin Phase 1, LLC (Lynn Yuan). Agent: Thrower Design (Ron Thrower). City Staff: Heather Chaffin, 512-974-2122.

**District(s):** District 1

## **Adjourn**

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

For assistance, please call 512-974-2210 or TTY users route through 711.

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.