

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
WEDNESDAY, JANUARY 27, 2021**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Wednesday, January 27, 2021 via Videoconference.

Mayor Adler called the Council Meeting to order at 10:05 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of December 8, 2020, regular meeting of December 10, 2020, special called of December 18, 2020, and special called of December 22, 2020.
The motion to approve the minutes of the Austin City Council work session of December 8, 2020, regular meeting of December 10, 2020, special called of December 18, 2020, and special called of December 22, 2020 was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
2. Ratify an agreement with Project Transitions, Inc. to fund abatement of asbestos-containing materials at the property located at 5606 Roosevelt Avenue, Austin, Texas 78756, in the amount of \$100,000. District(s) Affected: District 7. Strategic Outcome(s): Health and Environment
The motion to ratify an agreement with Project Transitions, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
3. Approve a resolution appointing Tracy Thompson, Mukesh 'Mookie' Patel, Leslie Thorne, Jennifer Williams, and Angelo DeCaro as directors of the Austin-Bergstrom Landhost Enterprises, Inc. Board of Directors and determine their terms. Strategic Outcome(s): Government that Works for All
Resolution No. 20210127-003 was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

4. 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.
Resolution No. 20210127-004 was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
5. Authorize award and execution of a construction contract with Santa Clara Construction, LTD (MBE), for the Decker Dam Slough Repair project in the amount of \$1,322,546 plus a \$132,254.60 contingency, for a total contract amount not to exceed \$1,454,800.60. [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 93.27% MBE and 1.87% WBE participation.]. District(s) Affected: District 1. Strategic Outcome(s): Government that Works for All, Safety.
The motion authorizing the award and execution of a construction contract with Santa Clara Construction, LTD was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
6. Authorize award and execution of a construction contract with Santa Clara Construction, LTD (MBE), for the Highland Park Water and Wastewater Improvements Phase 2 project in the amount of \$5,891,883.50 plus a contingency of \$589,188.35, for a total contract amount not to exceed \$6,481,071.85. [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 67.62% MBE and 1.25% WBE participation.]. District(s) Affected: District 10. Strategic Outcome(s): Health and Environment, Mobility.
The motion authorizing the award and execution of a construction contract with Santa Clara Construction, LTD was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
7. Authorize award and execution of a construction contract with PGC General Contractors, LLC, for the Little Walnut Creek - Flood Risk Reduction from Metric-Rutland project in the amount of \$17,103,694.80 plus a \$2,565,554.22 contingency, for a total contract amount not to exceed \$19,669,249.02. [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 12.06 % MBE and 2.19 % WBE participation.] District(s) Affected: District 4. Strategic Outcome(s): Safety; Health and Environment
The motion authorizing the award and execution of a construction contract with PGC General Contractors, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
8. Authorize award and execution of a construction contract with Sefbo Pipeline Bridge, Inc., for the Ullrich Water Treatment Plant Low Service Pump Station Safety Structures Renewal project in the amount of \$66,666.66. [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 a combined MBE/WBE goal of 5.00% participation.]. District(s) Affected: District 8. Strategic Outcome(s): Safety.

The motion authorizing the award and execution of a construction contract with Sefbo Pipeline Bridge, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

9. Authorize additional contingency funding for the construction contract with PLW Waterworks, LLC, for the Walnut Creek WW Treatment Plant Sludge Thickener Rehabilitation project in the amount of \$457,795 for a total contract amount not to exceed \$10,529,285. [Note: This request is for additional contingency funding only. MBE/WBE participation to date information will be provided if a change order is requested.] District(s) Affected: District 1. Strategic Outcome(s): Safety; Health and Environment.

The motion authorizing additional contingency funding for the construction contract with PLW Waterworks, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

10. Authorize additional funding in an amount of \$187,962 to the job order assignment for ProLodge 5 Phase 3 Renovations with Hensel Phelps Services, LLC, for a total assignment amount not to exceed \$650,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 29.23% MBE and 3.30% WBE participation.]. District(s) Affected: District 3. Strategic Outcome(s): Government that Works for All; Safety; Health and Environment.

The motion authorizing additional funding to the job order assignment with Hensel Phelps Services, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

11. Authorize negotiation and execution of an encroachment agreement with Bread & Circus, LLC for the surface encroachment of approximately 387 square feet, with a volume of 2,912 cubic feet, of right-of-way for an Americans with Disabilities Act ramp within Sabine Street, located at 401 Sabine Street. District(s) Affected: District 9. Strategic Outcome(s): Government that Works for All.

The motion authorizing the negotiation and execution of an encroachment agreement with Bread & Circus, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

12. Approve an ordinance vacating two tracts of right-of-way locally known as part of Samsung Boulevard totaling approximately 11.06 acres, the first tract being approximately 4.645 acres and the second tract being approximately 6.415 acres, both tracts being located south of Parmer Lane, north of the platted but unconstructed East Braker Lane, east of the property locally known as 12100 Samsung Boulevard, and west of Yager Lane, to Samsung Austin Semiconductor, LLC. District(s) Affected: District 1. Strategic Outcome(s): Government that Works for All.

Ordinance No. 20210127-012 was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

Item 13 was pulled for discussion.

14. Ratify a contract amendment with the Better Business Bureau to provide additional grants to small businesses that had previously applied to the Austin Small Business Relief Grant program, in the amount of \$4,803,025, for a total contract amount not to exceed \$32,008,025.00. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion to ratify a contract amendment with the Better Business Bureau was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on a 10-0 vote. Council Member Kelly abstained.
15. Authorize negotiation and execution of an interlocal agreement with the Austin Community College Fashion Incubator, as part of the ATX+EGYPT program, , to provide virtual classes, support market testing, and support travel for exchange participants from Austin and Egypt through 2021 for a total contract amount not to exceed \$58,000. District(s) Affected: District 4. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion authorizing the negotiation and execution of an interlocal agreement with the Austin Community College Fashion Incubator was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on a 10-0 vote. Council Member Kelly abstained.
16. Ratify a contract amendment with United Way for Greater Austin to administer emergency Childcare Provider Relief Grant funds in the amount of \$5,250,000, for a total contract amount not to exceed \$6,398,000. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion to ratify a contract amendment with United Way for Greater Austin was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on a 10-0 vote. Council Member Kelly abstained.
17. Approve an ordinance amending the Fiscal Year 2020-2021 Economic Development Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$13,735 in grant funds from the United States Embassy in Islamabad, Pakistan to cover additional administrative requirements to complete the grant. Strategic Outcome(s): Economic Opportunity and Affordability.
Ordinance No. 20210127-017 was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on a 10-0 vote. Council Member Kelly abstained.
18. Ratify a contract with Greater Austin Performing Arts Center to deploy the Austin Live Music Venue Preservation Fund, an effort to provide financial and technical support to Austin live music venues who have been impacted by the COVID-19 pandemic for a total contract amount not to exceed \$5,574,375. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion to ratify the contract with Greater Austin Performing Arts Center was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

19. Authorize execution of a renewal to an agreement with the Community Care Collaborative for the Emergency Medical Services Department to provide ground emergency medical transport services to the Travis County Healthcare District's (d/b/a Central Health) eligible Medical Access Program beneficiaries for a fee of \$696,822 paid to the City for a term of one year. Strategic Outcome(s): Safety.
The motion authorizing execution of a renewal to an agreement with the Community Care Collaborative was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
20. Authorize negotiation and execution of a 12-month contract with PeopleFund to fund and administer the Micro Enterprise Loans program to provide Displacement Prevention funding to support small businesses in low to moderate income neighborhoods at risk of displacement for a total contract amount not to exceed \$150,000. Strategic Outcome(s): Economic Opportunity and Affordability.
This item was postponed to February 18, 2021 on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
21. Ratify an amendment to an interlocal agreement with the Housing Authority of the City of Austin to provide emergency rental assistance for households impacted by COVID-19 for the term January 1, 2021 through January 31, 2022, in the amount of \$3,200,000, for a total agreement amount not to exceed \$3,200,000. Strategic Outcome(s): Economic Opportunity and Affordability.
This item was withdrawn on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
22. Authorize negotiation and execution of an amendment to the legal services agreement with Joanna Lippman Salinas with Fletcher Farley Shipman and Salinas for legal services related to Arianna Chavez v. City of Austin et al, Cause No. 1:20-cv-1174-RP in the United States District Court for the Western District of Texas in an amount of \$103,000 for a total contract amount not to exceed \$113,000. Strategic Outcome(s): Government That Works For All.
The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Joanna Lippman Salinas with Fletcher Farley Shipman and Salinas was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
23. Authorize negotiation and execution of an amendment to the legal services agreement with Richards, Rodriguez & Skeith, LLP for representation related to Anthony Evans v. City of Austin et al, Cause No. 1:20-cv-1057-RP in the United States District Court for the Western District of Texas in an amount of \$250,000 for a total contract amount not to exceed \$260,000. Strategic Outcome(s): Government That Works For All.
The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Richards, Rodriguez & Skeith, LLP was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

24. Authorize negotiation and execution of an interlocal agreement with Austin Achieve Public Schools for participation in the Library Cards for All Students Program, which will allow the Austin Public Library to offer a full-purpose Student Library Card to all students enrolled in Austin Achieve Public Schools. Strategic Outcome(s): Culture and Lifelong Learning.
The motion authorizing the negotiation and execution of an interlocal agreement with Austin Achieve Public Schools was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

Item 25 was pulled for discussion.

26. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 3.016 acres of land out of and a part of Block 21, Theodore Low Heights Subdivision, an addition to the City of Austin recorded in Volume 445, Page 581, Deed Records, Travis County, Texas, located at 3701 Clawson Road, Austin, Texas from Vista Service Corporation, a Texas corporation, for a total amount not to exceed \$2,290,485 including closing costs. District(s) Affected: District 5. Strategic Outcome(s): Health and Environment.
The motion authorizing the negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 3.016 acres of land was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

Items 27 through 32 were pulled for discussion.

33. Authorize negotiation and execution of an interlocal agreement with the University of Texas at Austin UT Proactive Community Testing to utilize parks and library property to administer COVID-19 testing to University faculty, staff and students and to share protected health information it collects with Austin Public Health. District(s) Affected: District 3, District 9, District 10. Strategic Outcome(s): Health and Environment.
The motion authorizing the negotiation and execution of an interlocal agreement with the University of Texas at Austin UT Proactive Community Testing was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
34. Authorize negotiation and execution of an agreement with the Austin-Rosewood Community Development Corporation to specify the parties' roles and responsibilities in operating the Millennium Youth Entertainment Center for a term ending on September 30, 2024 with three additional terms to be negotiated, in an amount not to exceed \$680,500 in the first fiscal year and as appropriated by Council in future years. January 19, 2021 – Approved by the Austin Rosewood Community Development Corporation on a 5-0 vote with Board Member Burns abstaining from the vote. District(s) Affected: District 1. Strategic Outcome(s): Economic Opportunity; Health & Environment; Culture & Lifelong Learning.
The motion authorizing the negotiation and execution of an agreement with the Austin-Rosewood Community Development Corporation was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

35. Approve a resolution authorizing the acceptance of \$148,284 in grant funding from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled Crime Lab Enhancement Project. Strategic Outcome(s): Safety
Resolution No. 20210127-035 was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
36. 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 \$148,284 in grant funding from the State of Texas, Office of the Governor, Criminal Justice Division, Coverdell National Forensic Sciences Improvement Act Fund for the Crime Lab Enhancement Project. Strategic Outcome(s): Safety.
Ordinance No. 20210127-036 was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
37. Authorize negotiation and execution of an interlocal agreement with the Texas Department of State Health Services to purchase human immunodeficiency virus medications under the Federal Ryan White HIV/AIDS Part A grant program, for a two-year term for a total agreement amount not to exceed \$400,000. Strategic Outcome(s): Health and Environment.
The motion authorizing the negotiation and execution of an interlocal agreement with the Texas Department of State Health Services was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
38. Authorize negotiation and execution of Amendment No. 3 to the agreement with Family Eldercare, Inc. to provide temporary work opportunities and supportive services to individuals experiencing homelessness, to add \$223,245 in one-time funding for a revised total agreement amount of \$1,990,827. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion authorizing the negotiation and execution of Amendment No. 3 to the agreement with Family Eldercare, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
39. Ratify Amendment No. 1 to an agreement with Central Texas Allied Health Institute for continued operation of a COVID-19 testing site to extend the term of the agreement through June 30, 2021 and increase funding in an amount not to exceed \$1,552,448, for a revised total agreement amount not to exceed \$2,652,448. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion to ratify Amendment No. 1 to an agreement with Central Texas Allied Health Institute was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
40. Ratify Amendment No. 2 to an agreement with Sysco Central Texas, Inc. for the provision of shelf-stable food, drinking water, and hygiene items for people experiencing homelessness during the COVID-19 pandemic to increase funding in an amount not to exceed \$2,520,000 and extend the term through September 10, 2021, for a revised total agreement amount not to exceed \$3,381,000. Strategic Outcome(s): Health and Environment.

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

41. Ratify Amendment No. 5 to an agreement with the Austin Public Education Foundation, dba Austin Ed Fund, for the continued provision of emergency food access for caregivers of students in Austin-area schools, to increase funding in an amount not to exceed \$3,900,000 for a term through September 30, 2021, for a revised total agreement amount not to exceed \$8,089,078. Strategic Outcome(s): Health and Environment and Economic Opportunity and Affordability.
The motion to ratify Amendment No. 5 to an agreement with the Austin Public Education Foundation, doing business as Austin Ed Fund was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
42. Authorize award of a multi-term contract with Expert Relocation Services, LLC, to provide citywide moving and relocation services, for up to five years for a total contract amount not to exceed \$5,783,500. (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.
This item was withdrawn on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
43. Ratify a cooperative contract with Big Truck Rental, LLC, to provide collection truck rental, in the amount of \$560,880. (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; Health and Environment.
The motion to ratify a cooperative contract with Big Truck Rental, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
44. Authorize award of a multi-term contract with Balcones Recycling, Inc., for recycling processing services for non-curbside collection, for up to five years for a total contract amount not to exceed \$530,000. (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.
The motion authorizing the award of a multi-term contract with Balcones Recycling, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
45. Authorize negotiation and execution of a multi-term cooperative contract with IDSC Holdings LLC D/B/A Snap-On Industrial, for tools and fleet maintenance equipment, for up to 51 months in an amount not to exceed \$1,607,500. (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): Mobility; Government that Works for All.

The motion authorizing the negotiation and execution of a multi-term cooperative contract with IDSC Holdings LLC doing business as Snap-On Industrial was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

46. Ratify a contract with National Works, Inc., to provide emergency cleaning and diffuser replacement in the aeration basin and clarifier at the Dessau Wastewater Treatment plant, in the amount of \$274,232. (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.

The motion to ratify a contract with National Works, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

47. Authorize award of two multi-term contracts with Austin Armature Works LP and Liber Holdings LLC, to provide heating, ventilation, air conditioning, and conveyor parts and repairs, each for up to five years for total contract amounts not to exceed \$413,000, divided between the contractors. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were insufficient subcontracting opportunities therefore, no subcontracting goals were established). Strategic Outcome(s): Mobility; Health and Environment.

The motion to authorize the award of two multi-term contracts with Austin Armature Works LP and Liber Holdings LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

48. Authorize award of two multi-term contracts with Innovative Water Care Global Corporation D/B/A Innovative Water Care LLC and Commercial Chemical Products Inc. D/B/A PoolSure, to provide swimming pool chemicals and related services, each for up to five years for total contract amounts not to exceed \$1,331,500, divided between the contractors. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Health and Environment.

The motion authorizing the award of two multi-term contracts with Innovative Water Care Global Corporation doing business as Innovative Water Care LLC and Commercial Chemical Products Inc. doing business as PoolSure was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

49. Ratify a contract with Leif Johnson Ford D/B/A Leif Johnson Ford II Ltd or Truck City Ford, to provide vehicle and equipment paint and dent repair, in the amount of \$17,309. (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): Mobility.

The motion to ratify a contract with Leif Johnson Ford doing business as Leif Johnson Ford II Ltd or Truck City Ford was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

50. Authorize negotiation and execution of multi-term contracts with 15 firms, to provide leadership coaching services, each for up to three years, for total amounts not to exceed \$750,000, 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): Government that Works for All.

The motion authorizing the negotiation and execution of multi-term contracts with 15 firms, to provide leadership coaching services was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on a 10-1 vote. Council Member Kelly voted nay.

Item 51 was pulled for discussion.

52. Approve an ordinance authorizing the issuance and sale of City of Austin Rental Car Special Facility Revenue Bonds, Taxable Series 2021, in a par amount not to exceed \$170,000,000 in accordance with the parameters set out in the ordinance, authorizing related documents, approving the payment of related fees and costs of issuance, and providing that the issuance and sale be accomplished by June 30, 2021. Strategic Outcome(s): Government that Works for All.

Ordinance No. 20210127-052 was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

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

The motion to approve the following appointments and waivers was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote:

Commission for Women

Josephine Serrata

Council Member Kitchen

Environmental Commission

Katie Coyne

Council Member Casar

African American Resource Advisory Commission

Elaina Fowler

Council Member Alter

Airport Advisory Commission

Ernest Saulmon

Council Member Alter

Animal Advisory Commission

Jon Brandes

Council Member Alter

<u>Arts Commission</u>	
Amy Mok	Council Member Alter
<u>Board of Adjustment</u>	
Michael Von Ohlen	Council Member Alter
<u>Building and Fire Code Board of Appeals</u>	
Pieter Sybesma	Council Member Alter
<u>Commission for Women</u>	
Becky Austen	Council Member Alter
<u>Commission on Seniors</u>	
Jackie Angel	Council Member Alter
<u>Community Technology and Telecommunications Commission</u>	
Sumit DasGupta	Council Member Alter
<u>Design Commission</u>	
Ben Luckens	Council Member Alter
<u>Downtown Commission</u>	
August Harris	Council Member Alter
<u>Electric Board</u>	
Ben Brenneman	Council Member Alter
<u>Electric Utility Commission</u>	
David Tuttle	Council Member Alter
<u>Ethics Review Commission</u>	
Mary Kahle	Council Member Alter
<u>Historic Landmark Commission</u>	
Trey McWhorter	Council Member Alter
<u>Human Rights Commission</u>	
Idona Griffith	Council Member Alter
<u>Lesbian, Gay, Bisexual, Transgender and Queer Quality of Life Commission</u>	
Brandon Wollerson	Council Member Alter
<u>MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee</u>	
Ahmed Moledina	Council Member Alter
<u>Mayor's Committee for People with Disabilities</u>	
Diane Kearns-Osterweil	Council Member Alter
<u>Mechanical and Plumbing Board Commission</u>	
William Harris, Jr.	Council Member Alter
<u>Mexican American Cultural Center Advisory Board</u>	
Claudia Massey	Council Member Alter
<u>Music Commission</u>	
Oren Rosenthal	Council Member Alter
<u>Parks and Recreation Board</u>	
Dawn Lewis	Council Member Alter
<u>Public Safety Commission</u>	
Rebecca Bernhardt	Council Member Alter
<u>Resource Management Commission</u>	
Rebecca Brenneman	Council Member Alter
<u>Robert Mueller Municipal Airport Plan Implementation Advisory Commission</u>	

Kenneth Ronsonette	Council Member Alter
<u>Water and Wastewater Commission</u>	
Susan Turrieta	Council Member Alter
<u>Zero Waste Advisory Commission</u>	
Gerard Acuna	Council Member Alter
<u>Human Rights Commission</u>	
Alicia Weigel	Council Member Casar
<u>African American Resource Advisory Commission</u>	
Cherelle VanBrakle	Council Member Casar
<u>Arts Commission</u>	
Brett Barnes	Council Member Casar
<u>Commission on Seniors</u>	
Diana Spain	Council Member Casar
<u>Downtown Commission</u>	
David Gomez	Council Member Casar

Waivers

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

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

54. Approve a resolution initiating an amendment to the East 12th Street Neighborhood Conservation Combining District to ensure consistency with anticipated modifications to the East 11th and 12th Streets Urban Renewal Plan. Council Sponsors: Council Member Natasha Harper-Madison, Mayor Steve Adler, Council Member Sabino 'Pio' Renteria, Council Member Paige Ellis, Council Member Ann Kitchen.
Resolution No. 20210127-054 was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
55. Approve a resolution related to efforts to reactivate Downtown Austin and directing the City Manager to bring forward methods to fund immediate interventions that create positive change and help reactivate Downtown, and an ordinance waiving fees in the amount of \$6,000 dollars for the installation of banners by the Downtown Austin Alliance Foundation in partnership with the Ann Richards Legacy Project. Council Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Vanessa Fuentes, Council Member Leslie Pool.
Resolution No. 20210127-055 was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

Council Member Tovo provided the following staff direction that was accepted without objection. The direction was:

“The City Manager is directed to return to Council, by next week if possible, with a budget amendment that clarifies that the fee waiver for pole banners along South Congress Ave. should be for \$29,000.”

56. Approve a resolution directing the City Manager to develop recommendations to reduce flood risks; to address strategies related to safety, equity, and resiliency in order to increase flood protection and flood resiliency; to develop a summary of the City's flood management approach; and to report on the Resilient Austin plan. Council Sponsors: Council Member Vanessa Fuentes, Council Member Leslie Pool, Council Member Kathie Tovo, Council Member Alison Alter, Council Member Ann Kitchen.

Resolution No. 20210127-056 was approved, as amended below, on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

Council Member Harper-Madison offered the following amendment that was accepted without objection. The amendment was to amend section 2. of the Be It Resolved clause to read:

- “2. Develop near-term recommendations based on sound scientific data to further reduce flood risks in Onion Creek, Walnut Creek, Shoal Creek, Williamson Creek, Bull Creek, and other City areas where there is localized flooding no later than April 30, 2021, including whether the City Council should initiate amendments to the Land Development Code, including, but not limited to:**
- a. drainage management for redevelopment**
 - b. a redevelopment exception to reduce flood risk for commercial properties in the floodplain;**
 - c. provisions to ensure that commercial and residential development comply with zoning impervious cover limits, including residential additions and accessory dwelling units; and**
 - d. Analysis of projected impacts of any recommended land development code amendments related to flood mitigation on housing capacity and affordability and recommendations on how to address any of those impacts.”**

Council Member Kitchen provided the following direction to staff that was accepted without objection. The direction was:

“Staff should consider the recommendations made by the Flood Mitigation Task Force and examine those for potential inclusion in the work going forward.”

57. Approve a resolution directing the City Manager to improve city-serviced trash collection at multifamily residences. Council Sponsors: Council Member Gregorio Casar, Council Member Ann Kitchen, Council Member Leslie Pool, Council Member Natasha Harper-Madison, Council Member Vanessa Fuentes.
Resolution No. 20210127-057 was approved on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
58. Approve a resolution directing the City Manager to present an ordinance authorizing a proposed amendment to the Compromise Settlement Agreement Related to Cause No. 94-07160, Josie Ellen Champion, et al v. City of Austin in the 353rd Judicial District Court of Travis County, relating to the development of property located at 6025 North Capital of Texas Highway (Champion Tract 4), exclusively limited to increasing the square footage of the proposed development to no more than 95,000 square feet and reducing environmental, transportation, and mobility; to process the applicant's requested zoning change to accompany the proposed amendment; and to require the applicant to pay all fees associated with the zoning change. . Council Sponsors: Council Member Alison Alter, Council Member Paige Ellis, Council Member Kathie Tovo, Council Member Mackenzie Kelly.
This item was postponed to February 4, 2021 on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
59. Set a public hearing to consider an ordinance adopting Local Standards of Care for the Parks and Recreation Department's Youth Programs. (Suggested date: February 4, 2021, at Austin City Hall, 301 W. Second Street, Austin, Texas). Strategic Outcome(s): Health & Environment; Culture & Lifelong Learning.
The public hearing was set for February 4, 2021, at Austin City Hall, 301 W. Second Street, Austin, Texas on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.
60. Set a public hearing to consider an ordinance granting additional floor-to-area entitlements to the project at 82 and 84 North IH- 35 Service Road Southbound in accordance with the Downtown Density Bonus Program under City Code Section 25-2-586 (B)(6). (Suggested date: February 4, 2021, Austin City Hall, 301 W. Second Street, Austin, TX. Strategic Outcome(s): Government that works for all.
The public hearing was set for February 4, 2021, at Austin City Hall, 301 W. Second Street, Austin, Texas on consent on Council Member Harper-Madison's motion, Council Member Ellis' second on an 11-0 vote.

COUNCIL DISCUSSION

61. Election of the Mayor Pro Tem.
The motion to elect Council Member Harper-Madison as Mayor Pro Tem for the calendar year 2021 and ending on December 31, 2021 and Council Member Alter as Mayor Pro Tem for the calendar year 2022 and ending with the election of the next Mayor Pro Tem in 2023 was approved on Mayor Adler's motion, Council Member Pool's second on an 11-0 vote.

DISCUSSION ITEMS

25. Approve a resolution consenting to the creation of Travis County Emergency Services District No. 17. Strategic Outcome(s): Safety
A motion to postpone this item to February 4, 2021 was approved on Council Member Kitchen's motion, Mayor Adler's second on an 11-0 vote.
51. Approve an ordinance amending Ordinance No. 20201203-039 to set a fee schedule for temporary use of right-of-way fees related to the construction of phase one of the 2016 Texas Capitol Complex Master Plan. District(s) Affected: District 1. Strategic Outcome(s): Mobility; Government that Works for All; Economic Opportunity and Affordability.
Ordinance No. 20210127-051 was approved on Council Member Tovo's motion, Mayor Adler's second on an 11-0 vote.

CITIZEN COMMUNICATION

Amy Kraizman - Need for effective ACT teams, increased Harm Reduction Methods. The importance of the George Floyd Act.

Mosley Hobson - I desire to offer a formal introduction to the City of Austin officials as the new Pastor of Greater St. Johns Church located at 7210 Providence St (District 4). Additionally, my comments would give a brief history, mission, and vision of our ministry and how we plan to support the St. Johns Community and City of Austin under my leadership.

Gayln Ziegler - The homeless situation in Austin.

Matt Tunstall - I would like to discuss putting outdoor TV screens on the roof of food trucks to notify the public of COVID alerts as well as other offering businesses commercial advertising opportunities.

Mayor Pro Tem Harper-Madison recessed the Council Meeting at 12:10 p.m. without objection.

Mayor Adler reconvened the Council Meeting at 1:16 p.m.

DISCUSSION ITEMS CONTINUED

13. 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.

District(s) Affected: District 1. Strategic Outcome(s): Government that Works for All; Economic Opportunity and Affordability.

A motion to authorize the negotiation and execution of an exclusive negotiation agreement with Aspen Heights Partners was made on Mayor Pro Tem Harper-Madison's motion and Council Member Tovo's second.

The following staff direction was offered by Mayor Pro Tem Harper-Madison and accepted without objection. The direction was:

"Include terms in the eventual Master Development Agreement for the lease and redevelopment of the former HealthSouth tract and to return to Council prior to execution of that Master Development Agreement.

The City Manager should keep council apprised as to the status of the negotiations and return for further direction if substantial concerns arise.

In this negotiation, city staff is directed to explore the inclusion of the following provisions in the terms of the master development agreement:

- **Creative methods to provide more on-site affordable housing and/or deeper levels of affordability, such as the reassessment of parking needs and the utilization of tools such as decoupling parking from the residential units;**
- **Commitment to adhere to the tenant protection provisions within the rental housing development assistance guidelines;**
- **Programing in a live music venue space that could be leased to live music venue operators, prioritizing operators representing historically disenfranchised musicians;**
- **The inclusion of high-quality, affordable on-site childcare;**
- **Alternative cross-subsidizing opportunities in lieu of, or in conjunction with, commercial office tower space; and**
- **Improved connectivity by taking available opportunities to restore original downtown street grid, and ensuring all public right of way is pedestrian-oriented with ground-level activation"**

A motion to provide the following staff direction was made on Council Member Tovo's motion, Council Member Renteria's second. The direction was:

"The City Manager is directed to negotiate and execute an Exclusive Negotiating Agreement with Aspen Heights Partners and to include terms in the eventual Master Development Agreement for the lease and redevelopment of 1215 Red River and 606 East 12th, the former HealthSouth tract and to return to Council prior to execution of that Master Development Agreement.

The City Manager shall keep Council consistently apprised as to the status of the negotiations and shall return to a Council work session within 4 months with an update. If

in the course of negotiations Aspen Heights articulates substantial concerns about any of the below community benefits, the City Manager shall return to Council prepared to share that information and to seek further direction from Council.

In this negotiation, the City Manager is directed to negotiate with Aspen Heights and attempt to obtain the following goals in the eventual Master Development Agreement. If Aspen Heights is unable or unwilling to agree to any of these goals being in the Master Development Agreement, the City Manager will return to the Council to explain the reason for the objection:

Affordable and Family-Friendly Housing

- Add more affordable housing to the project to such an extent that affordable housing is the site's significant and central use, Staff may consider using a 9% Low Income Housing Tax Credit application or a General Obligation bond subsidy if necessary.
- Require an affordable housing term that mirrors the length of Aspen Height's ground lease for rental and ownership.
- Alter the unit makeup of the affordable units to reflect a significant shift from one bedroom and studio homes to two- and three-bedroom homes to align with recommendations from the 2008 Families with Children Task Force.
- If the affordable housing term does not mirror the ground lease term, include a provision to allow the City to re-negotiate the affordable housing or a "Right of First Refusal" provision for the City of Austin that would be enacted upon expiration of the affordability terms or if the affordable rental homes covert to a condominium use.
- Require source of income non-discrimination and the acceptance of Housing Choice Vouchers, the City of Austin's local housing vouchers, or other rental subsidies for the affordable rental homes.
- Require the tenant protections currently contained within the City's Rental Housing Development Assistance requirements.
- Designate a certain percentage of the income-restricted affordable rental homes to be reserved for voucher holders and Continuum of Care units, especially for families with children experiencing homelessness.
- For the reasons outlined in University of Texas School of Law Clinic Entrepreneurship and Community Development Clinic November 2020 report, "Public Facility Corporations and the Section 303.042(f) Tax Break for Apartment Developments," the rent charged (including a utility allowance) in the affordable rental units should not exceed 30% of a household's income at 60% MFI or 50% MFI income levels and the income restrictions (and rent restrictions) should be adjusted for household size under HUD guidelines.
- Similar to other City of Austin Master Development Agreements, include a provision that allows for profit-sharing for the City beyond a certain internal rate of return once costs are covered. The profits generated by this tract that return to the City shall be used for the creation of Permanent Supportive Housing or vouchers and services for individuals experiencing homelessness.

- Ensure the inclusion of our current policy and as it may be amended in the future, in which the sale price of the affordable homes must be no more than 3 times the household's annual income (or 3.5 times the household's income if someone in the household has completed approved homebuyer counseling or education). Ownership units should also subject to an equity cap, where the homeowner's equity can increase up to 2 percent per year for 30 years (at which point no additional equity can be earned). This allows the homeowner to gain some appreciation at resale, while also preserving the affordability of the home for future income-eligible homebuyers.
- Include a study by a qualified acoustical consultant documenting current sound conditions in the area and prescribing a plan for construction and design solutions to minimize sound impact to residential portions of the redevelopment not only for any contemplated venue uses within the project, but also for amplified sound from the adjacent Waterloo Park.

Community Assets

- Add on-site high-quality affordable childcare as a use within the proposal.
- Provide spaces for communal "learning spaces," computer labs and other spaces that include technological resources for the residents, especially the residents who are children.
- Based on current trends and projections, reduce the amount of office space as much as financially feasible.

Commercial Uses

- Craft an agreement to ensure commercial tenants will include a significant percentage of independent, local merchants.
- For the commercial and office components of the proposal, include the City of Austin's living wage standard, including a mechanism to ensure that these wages mirror the City of Austin's living wage as it increases in future years, and ensure these provisions apply for custodial workers.

Public Access

- Ensure that the public will be able to access the viewing deck without having to be a resident or customer of any business in the buildings.
- Include a term that park / green space be fully accessible to the public and ensure that the developer provides and maintains obvious, discernible street-level signage in English and Spanish to that effect.
- Ensure that any pool or aquatic amenity be fully accessible to the public. Any such facility should be included on the aforementioned signage.
- Specify that costs for maintaining the park and any aquatic facility will not be the responsibility of the city.
- Achieve LEED Gold rating or 4-star Green Building standards.

Street-level Activation

- To the extent feasible, restore the urban grid such that the “new alley” on the north edge of the HealthSouth tract be designated as 13th Street and, if commercial uses will be present, include ground-level pedestrian-oriented uses similar to other streets in the Central Business District.
- To the extent feasible, maintain public right-of-way along the existing east-west alley just north of 12th Street (even if an overhead connection is provided across the alley).
- To the extent feasible and to the extent it does not impact the provision of affordable housing and community benefits, achieve the following goals: reduce the number of parking spaces consistent with the goals of the Austin Strategic Mobility Plan; shift more parking underground; construct any above-grade parking with horizontal floors and adequate headroom so as to make possible later conversion; wrap above-grade parking with ground-level, pedestrian-oriented uses; use green walls; require parking to be decoupled from other uses and available to the public even for offsite uses.

As stated above, the City Manager shall return to Council in a Council work session if Aspen Heights is unable or unwilling to include any of the above provisions in the Master Development Agreement to provide a detailed explanation as to the rationale.

The City Manager is directed to:

- Ensure that, at a minimum, the Finance Department, Office of Real Estate, Parks and Recreation Department, and Housing and Planning are deeply involved and engaged in the negotiation of the terms of the Master Development Agreement. As the central use of this tract is intended to be housing, specifically affordable housing, Economic Development Department shall not be the primary lead in this negotiation.
- Host at least one public session prior to returning to Council to provide information and receive feedback on the proposal and project terms, in a manner similar to public discussion and engagement opportunities at the Seaholm Intake Building and other public projects of this nature.
- Conduct briefings at the Community Development Commission and Design Commission and provide these Commissions the opportunity to give feedback on the proposed terms of the Master Development Agreement prior to its return to Council.
- Provide a detailed analysis of economic and use impacts of including AE’s district cooling plant facility in this project, including an estimate for land costs
- Provide information regarding how this project might be managed by the Austin Economic Development Corporation to ensure maximum community benefits.
- Estimate the amount of property tax revenue that could flow to the Affordable Housing Trust Fund as a result of taxable uses on this site.
- List any waivers or approvals required to execute development as proposed.
- Provide information about what ways the commercial space at the HealthSouth redevelopment could help further the City’s goal to implement a portfolio approach to city real estate, including analyzing how creating office space for the City at

HealthSouth could increase opportunities for more affordable housing at One Texas Center.

The City Manager is directed to return to Council at least eight weeks prior to the Recommendation for Council Action for the Master Development Agreement for Council conversation.”

A motion to amend the direction as follows was approved on Council Member Renteria’s motion, Council Member Kitchen’s second on an 11-0 vote. The amendment to the direction was:

“Staff is directed to include the Community Court in the list of services that are proposed for relocation to this development.”

A motion to amend the direction was made on Council Member Ellis’ motion, Mayor Pro Tem Harper-Madison’s second. The amendment to the direction was:

“Ensure that, at a minimum, the Economic Development Department, Finance Department, Office of Real Estate, Parks and Recreation Department, Austin Transportation Department, and Housing and Planning are deeply involved and engaged in the negotiation of the terms of the Master Development Agreement. As the central use of this tract is intended to be housing, specifically affordable housing, Economic Development Department shall not be the primary lead in this negotiation. The Housing and Planning Department shall, in particular, have the central role in negotiations regarding the affordable housing component of the project.”

A friendly amendment to the amendment was made by Council Member Tovo and accepted without objection. The amendment to the amendment was to have the amendment read:

“Ensure that, at a minimum, the Economic Development Department, Finance Department, Office of Real Estate, Parks and Recreation Department, Austin Transportation Department, and Housing and Planning are deeply involved and engaged in the negotiation of the terms of the Master Development Agreement. The central use of this tract is intended to be housing, specifically affordable housing.

The motion to amend the direction, as amended, was approved without objection on Council Member Ellis’ motion, Mayor Pro Tem Harper-Madison’s second.

The motion to provide staff direction, as amended, was approved on Council Member Tovo’s motion, Council Member Renteria’s second on an 11-0 vote.

The motion to authorize the negotiation and execution of an exclusive negotiation agreement with Aspen Heights Partners was approved on Mayor Pro Tem Harper-Madison’s motion, Council Member Tovo’s second on an 11-0 vote.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

65. NPA-2019-0003.01 -David Chapel Missionary Baptist Church- Conduct a public hearing and approved second and third readings 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; 1807 Ferdinand Street and 1803, 1805, 1807 Chestnut Ave. (Boggy Creek Watershed) from Civic and Single Family to Mixed Use land use. City Council Recommendation: First reading approved on December 10, 2020. Vote: 10-0; Council Member Alter off the dais. Owner/Applicant: David Chapel Missionary Baptist Church. Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 1.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210127-065 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.
66. C14-2020-0105 David Chapel Missionary Baptist Church - Tract 1 (Main Tract)- Conduct a public hearing and approve second and third readings of 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's Request: To rezone from public-neighborhood plan (P-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. First reading approved general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning on December 10, 2020. Vote: 10-0; Council Member Alter off the dais. 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) Affected: District 1.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210127-066 for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.
67. C14-2020-0106 David Chapel Missionary Baptist Church - Tract 3 (Northeast Tract) -Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2301 E. Martin Luther King Jr. Boulevard (Boggy Creek Watershed). Applicant's Request: To rezone from public-neighborhood plan (P-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. First reading approved general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning on December 10, 2020. Vote: 10-0; Council Member Alter off the dais. 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) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210127-067 for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.

68. C14-2020-0107 David Chapel Missionary Baptist Church - Tract 4 (Southeast Tract)- Conduct a public hearing and approve second and third readings of 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 and family residence-neighborhood plan (SF-3-NP) combining district to community commercial -mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. First reading approved community commercial -mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning on December 10, 2020. Vote: 10-0; Council Member Alter off the dais. 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) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210127-068 for community commercial -mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.

69. NPA-2020-0016.03 - 1135 Gunter St. - Conduct a public hearing and approve second and third readings of 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. First reading approved on December 3, 2020. Vote: 11-0. 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) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210127-069 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.

70. C14-2020-0083 1135 Gunter St. - Conduct a public hearing and approve second and third readings of 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. First reading approved general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning on December 3, 2020. Vote: 11-0. 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) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210127-070 for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.

71. C14-2020-0063 - Pier Property Rezoning - Conduct a public hearing and approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 1703 River Hills Road (Lake Austin Watershed). Applicant's Request: To rezone from commercial-liquor sales (CS-1) district zoning to commercial recreation (CR) district zoning. First reading approved on October 15, 2020. Vote: (10-0), Council Member Tovo was off the dais. Second reading approved commercial recreation-conditional overlay (CR-CO) combining district zoning on December 10, 2020. Vote: (11-0). Owner/Applicant: Tires Made Easy, Inc. (Andrew S. Price). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Mark Graham City Staff: Mark Graham, 512-974-3574 District(s) Affected: District 10.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210127-071, as amended below, for commercial recreation- conditional overlay (CR-CO) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.

Council Member Alter offered the following amendment, it was accepted with Council Member Tovo objecting. The amendment was to remove the conditional overlay of the ordinance that prohibited service station use as a Permitted use of the property.

72. NPA-2020-0027.01 -Twin Liquors-Maudie's - Conduct a public hearing and approve an ordinance amending Ordinance No. 20100923-102 the Central West Austin Combined Neighborhood Plan (WANG), 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 2602, 2604, 2606, 2608, 2610 W. 7th Street and 701, 703 Newman Dr. (Johnson Creek Watershed) from Neighborhood Commercial to Commercial land use. Staff Recommendation and Planning Commission Recommendation: To grant Commercial land use. Owner/Applicant: TASC Properties, LP (Tracy S. Livingston). Agent: Thrower Design (A. Ron Thrower and Victoria Haase). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 10.

This item was postponed to February 4, 2021 at the request of staff on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.

73. C14-2020-0024 - Twin Liquors-Maudie's - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2608 West 7th Street (Johnson Creek Watershed). Applicant's Request: To rezone from commercial liquor sales - neighborhood Plan (CS-1-NP) combining district zoning to general commercial services - neighborhood plan (CS-NP) combining district zoning for Tract 1 and from general commercial services - neighborhood plan (CS-NP) combining district to commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning for Tract 2. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services - neighborhood plan (CS-NP) combining district zoning for Tract 1 and commercial liquor sales - neighborhood plan (CS-1-NP) combining district zoning for Tract 2. Owner/Applicant: TASC Properties, LP (Tracy S. Livingston). Agent: Thrower Design (A. Ron Thrower). City Staff: Mark Graham, 512-974-3574 District(s) Affected: District 10.

This item was postponed to February 4, 2021 at the request of staff on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.

74. NPA-2020-0014.02 -7800 Burleson Road -Conduct a public hearing and approve an ordinance amending Ordinance No. 20021010-11, the Southeast 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 7800 Burleson Road (Onion Creek Watershed) from Industry to Mixed Use land use. Staff recommendation: To deny Industry land use. Planning Commission recommendation: To grant Industry land use. Owner/Applicant: 7800 Burleson QOZB, LLC (Thomas Bercy). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 2.

This item was postponed to February 4, 2021 at the request of staff on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.

75. C14-2020-0101 - 7800 Burleson - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7800 Burleson Road (Onion Creek Watershed). Applicant's Request: To rezone from community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning and limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To deny additional community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Owner: 7800 Burleson QOZB, LLC (Thomas Bercy). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.
- This item was postponed to February 4, 2021 at the request of staff on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.**

76. NPA-2020-0016.01 - MSC & CTC Tracts - 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 748, 750, 760, 764 Airport Blvd. and 5301 Glissman Road (Boggy Creek Watershed and Colorado River Watershed) from Commercial to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use land use. Owners/Applicants: Modern Supply Company of Austin, Texas (M. Jack Hall) and Coastal Transport Co., Inc. (Joe A. Morgan). Agent: Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 3.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210127-076 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.**
77. C14-2020-0073 - MSC & CTC Tracts Zoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 748, 750, 760, 764 Airport Boulevard and 5301 Glissman Road (Boggy Creek Watershed; Colorado River Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Owners/Applicants: Modern Supply Company of Austin, Texas (M. Jack Hall) and Coastal Transport Co., Inc. (Joe A. Morgan). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, Housing and Planning Department, 512-974-7719 District(s) Affected: District 3.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210127-076 for general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.**
78. C14-2020-0116 - 10304 Old San Antonio Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 10304 Old San Antonio Road (Slaughter Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence-medium density (MF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Owners/Applicants: Bernadette M. Rainosek, Frank A. Miller, and Walter John Miller. Agent: McLean & Howard, LLP (Jeffrey S. Howard). City Staff: Wendy Rhoades, Housing and Planning Department, 512-974-7719. District(s) Affected: District 5.
- The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only was approved on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.**

79. NPA-2020-0021.02 - 1100 Manlove Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055, the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1100 Manlove Street (Harpers Branch Watershed) from Single Family to Neighborhood Mixed Use land use. Staff Recommendation: To deny applicant's request for Neighborhood Mixed Use land use. Planning Commission recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: Shuler Family Trust of 1998 (John Schuler). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 9.
This item was postponed to March 25, 2021 at the request of the applicant on Council Member Kitchen's motion, Council Member Ellis' second on a 9-0 vote. Council Member Tovo recused herself. Council Member Casar was off the dais.
80. C14-2020-0081 - 1100 Manlove Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1100 Manlove Street (Harper's Branch Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Staff Recommendation: To deny neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Owner: Schuler Family Trust of 1998 (John Schuler). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Kate Clark, 512-974-1237. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 9.
This item was postponed to March 25, 2021 at the request of the applicant on Council Member Kitchen's motion, Council Member Ellis' second on a 9-0 vote. Council Member Tovo recused herself. Council Member Casar was off the dais.
81. C14-2020-0111 -Vineyard Christian Fellowship of Austin, Texas, Inc. - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 13208 Morris Road (Lake Creek Watershed). Applicant Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence-low density (MF-2) district zoning for Tract 1 and limited office-mixed use (LO-MU) combining district zoning for Tract 2. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant to multifamily residence-low density (MF-2) district zoning for Tract 1 and limited office-mixed use (LO-MU) combining district zoning for Tract 2. Owner/Applicant: Vineyard Christian Fellowship of Austin, Texas, Inc. (Benjamin Koch). Agent: Mathias Company (Richard Mathias). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.
This item was postponed to February 4, 2021 at the request of staff on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.
82. 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-conditional overlay (LI-CO) combining district zoning and warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning to limited industrial-conditional overlay (LI-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial-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) Affected: District 1.

This item was postponed to March 4, 2021 at the request of the applicant on Council Member Kitchen's motion, Council Member Ellis' second on a 10-0 vote. Council Member Casar was off the dais.

Mayor Adler recessed the Council Meeting to go into Executive Session at 2:34 p.m. without objection.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

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

Withdrawn.

63. Discuss legal issues related to the May 2021 election (Private consultation with legal counsel - Section 551.071 of the Government Code).

Conducted.

64. Discuss real estate matters related to the purchase, exchange, lease, or value of real property for the motel conversion strategy (Real Property - Section 551.072 of the Government Code).

Withdrawn.

Mayor Adler reconvened the Council Meeting at 3:30 p.m.

DISCUSSION ITEMS CONTINUED

27. Authorize the ratification of the Emergency Temporary Occupancy Agreement with Apple Pie Hotels LLC to allow the City the ongoing option to occupy the real property located at 10811 Pecan Park Blvd., Building 2, Austin, Texas, 78750 for emergency housing, isolation, and support services related to COVID-19 for a 30-day term, with an option to extend for three additional 30-day terms, for an amount not to exceed \$699,200. District(s) Affected: District 6. Strategic Outcome(s): Health and Environment

The motion authorizing the ratification of the Emergency Temporary Occupancy Agreement with Apple Pie Hotels LLC was approved on Council Member Pool's motion, Council Member Alter's second on an 11-0 vote.

28. Ratify Amendment No. 3 to the agreement with DBG Austin Hotel LLC, for the City to occupy the real property located at 3105 North Interstate Highway 35, Austin, Texas, 78753 for emergency housing, isolation, and support services related to COVID-19 to extend the option period by three additional one-month terms, for an additional amount not to exceed \$340,200 and for a total contract amount not to exceed \$1,288,980. District(s) Affected: District 9. Strategic Outcome(s): Health and Environment.

The motion to ratify Amendment No. 3 to the agreement with DBG Austin Hotel LLC was approved on Council Member Pool's motion, Council Member Alter's second on an 11-0 vote.

29. Ratify Amendment No. 3 to the agreement with DBG Austin South LLC, for the City to occupy the real property located at 4200 South Interstate Highway 35, Austin, Texas, 78745 for emergency housing, isolation, and support services related to COVID-19 to extend the option period by three additional one-month terms, for an additional amount not to exceed \$696,600 and for a total contract amount not to exceed \$2,964,420. District(s) Affected: District 3. Strategic Outcome(s): Health and Environment.

The motion to ratify Amendment No. 3 to the agreement with DBG Austin Hotel LLC was approved on Council Member Pool's motion, Council Member Alter's second on an 11-0 vote.

30. Ratify Amendment No. 3 to the agreement with Pleiades Hospitality, LLC, for the City to occupy the real property located at 8010 North Interstate Highway 35 Frontage Road, Austin, Texas, 78753 for emergency housing, isolation, and support services related to COVID-19 to extend the option period by three additional one-month terms, for an additional amount not to exceed \$330,000.30 and for a total contract amount not to exceed \$1,303,918.30. District(s) Affected: District 4. Strategic Outcome(s): Health and Environment.

The motion to ratify Amendment No. 3 to the agreement with Pleiades Hospitality, LLC was approved on Council Member Pool's motion, Council Member Alter's second on an 11-0 vote.

32. Authorize the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple approximately 1.2230 acres of land and a building containing approximately 28,902 square feet out of the Francisco Garcia Survey No. 60, Abstract 312, in Travis County, Texas comprised of the remainder portion of that tract conveyed as 169,089 square feet to Joe David Ross, Trustee, per Volume 8954, Page 157, Real Property Records of Travis County, Texas, known locally as 13311 Burnet Road, Austin, TX 78727 from Visvanath LP., a Texas Limited Partnership, for a total amount not to exceed \$6,700,000, including closing costs. District(s) Affected: District 7. Strategic Outcome(s): Economic Opportunity and Affordability.

The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple approximately 1.2230 acres of land and a

building containing approximately 28,902 square feet out was approved on Council Member Pool's motion, Council Member Alter's second on an 11-0 vote.

31. Authorize the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple approximately 2 acres of land and a building containing approximately 47,355 square feet out of Lot 1-A, Block B, including a non-exclusive joint use access easement over and across 0.081 of an acre of land, more or less, being a portion of Lot 10-A, Block B, both of the Amended Plat of Lot 1 and a Portion of Lot 2, Resubdivision of Lots 7, 8 & 9, Block B, Pecan Park, according to the map or plat thereof, recorded in Cabinet Y, Slides 205-207, Plat Records, Williamson County, Texas; known locally as 10811 Pecan Park Blvd, Bldg #2, Austin, TX 78750 from Apple Pie Hotels, LLC., A Texas Corporation for a total amount not to exceed \$9,500,000, including closing costs. District(s) Affected: District 6. Strategic Outcome(s): Economic Opportunity and Affordability.

A motion to postpone this item to February 4, 2021 was approved on Council Member Kelly's motion, Council Member Pool's second on a 7-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Harper-Madison, Council Members Alter, Ellis, Kelly, Kitchen, and Pool. Those voting nay were: Council Members Casar, Fuentes, Renteria, and Tovo.

Mayor Adler adjourned the meeting at 5:45 p.m. without objection.

The minutes were approved on this the 4th day of February 2021 on Council Member Kelly's motion, Council Member Alter's second on an 11-0 vote.