



City of Austin

301 W. Second Street
Austin, TX and some
members of City
Council may be
participating by
videoconference

Agenda

City Council Work Session

Mayor Steve Adler

Mayor Pro Tem Natasha Harper-Madison, District 1

Council Member Vanessa Fuentes, District 2

Council Member Sabino "Pio" Renteria, District 3

Council Member Gregorio Casar, District 4

Council Member Ann Kitchen, District 5

Council Member Mackenzie Kelly, 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

Tuesday, August 31, 2021

9:00 AM

Austin City Hall

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.

Public comment will be taken on Item 1 only. Instructions for speaker sign up will be posted on the Council Meeting Information page.

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

A. Pre-Selected Agenda Items

B. Briefings

B1. I-35 Capital Express Central Update from Texas Department of Transportation.

B2. City of Austin Goals for the I-35 Project.

C. Council Items of Interest

D. Council Discussion

D1. Council Meeting Procedures.

E. Executive Session

E1. Consider compensation and benefits for the City Clerk (Personnel matters - Section 551.074 of the Government Code).

- E2.** Consider compensation and benefits for the City Auditor (Personnel matters - Section 551.074 of the Government Code).
- E3.** Consider compensation and benefits for the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).
- E4.** Discuss legal issues related to Brenda Ramos et al v. City of Austin et al, Cause No. 1:20-cv-01256-RP in the United States District Court for the Western District of Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E5.** Discuss legal issues involved with lawsuits and claims related to Austin Police Department during the protests that occurred on May 30 and 31, 2020 (Private consultation with legal counsel - Section 551.071 of the Government Code).

Law

- 1.** Approve an ordinance amending Ordinance No. 20210811-010 ordering a special municipal election regarding funding, staffing, training, and oversight of the Austin Police Department; declaring an emergency; and waiving Section 1-2-4(A) of the Procedures for Austin City Council Meetings, Public Hearings and Appeals to allow Council to take action on a work session item that is also on the Thursday Council agenda.

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

Adjourn

Consent Agenda

Approval of Minutes

1. Approve the minutes of the Austin City Council special called of August 10, 2021, and budget adoption of August 11, 2021.

Austin Water

2. Approve a resolution declaring the City of Austin's official intent to reimburse itself from the proceeds of tax-exempt obligations to be issued through October 2022 for acquisition and construction costs in an aggregate maximum principal amount of \$165,000,000 related to Fiscal Year 2021-2022 Austin Water Capital Improvement Projects.

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

Capital Contracting Office

3. Authorize negotiation and execution of a professional services agreement with Dunaway Associates, L.P. d/b/a Dunaway UDG to provide engineering services for the Colony Park Sustainable Community in an amount not to exceed \$105,000.

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

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 1

4. Authorize negotiation and execution of an amendment to the professional services agreement with AECOM Technical Services Inc., for engineering services for the Austin Transportation Department's Transportation Engineering Staff Augmentation project in the amount of \$2,200,000.00, for a total contract amount not to exceed \$12,200,000.00.

[Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 14.45% MBE and 11.67% WBE.]

Strategic Outcome(s): Mobility.

5. Authorize award and execution of a construction contract with Santa Clara Construction, LTD (MBE), for the Boggy Creek - 6610 Shelton Rd. Erosion Repair & Grade Control project in the amount of \$1,944,898.00 plus a \$194,489.80 contingency, for a total contract amount not to exceed \$2,139,387.80.

[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 90.64% MBE and 2.09% WBE participation.]

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

District(s): District 1; District 3

Convention Center

6. Approve a resolution adopting the Austin Convention and Visitors Bureau, d/b/a Visit Austin, 2021-2022 Marketing Plan and Proposed Budget of \$11,504,708, setting the contract payment as required by Chapter 351 of the Texas Tax Code, and authorizing the City Manager to file approved documents with the City Clerk's Office as required by the Texas Tax Code.

Strategic Outcome(s): Economic Opportunity and Affordability.

Economic Development Department

7. Authorize negotiation and execution of an interlocal agreement with Travis County Healthcare District d/b/a Central Health to reimburse Central Health for services related to long-term lease space analysis for a future potential lease agreement in Central Health's proposed future development of a Health and Wellness Center on a property located in the City-owned Colony Park Sustainable Community in an amount not to exceed \$75,000. Related to items 11, 12, and 17.

Strategic Outcome(s): Economic Opportunity and Affordability, Health and Environment, Cultural and Lifelong Learning.

District(s): District 1

8. Authorize the execution of an interlocal agreement with Del Valle Independent School District to expand access to Dual Language Pre-K4 programs for Austin/Travis County families residing within the District's school boundary who do not meet state eligibility requirements for state publicly funded Pre-K, for a 36-month term through September 30, 2024, in an amount not to exceed \$750,000.

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

District(s): District 2; District 3

9. Authorize negotiation and execution of an interlocal agreement with the University of Texas Rio Grande Valley to provide training and coaching for cooperatively-owned businesses, for a two-year agreement in an amount not to exceed \$150,000.

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

10. Ratify a contract amendment with the Better Business Bureau to provide additional grants to arts & culture non-profit organizations in the amount of \$2,000,000, for a total contract amount not to exceed \$34,098,025.

Strategic Outcome(s): Economic Opportunity and Affordability, Culture and Lifelong Learning.

11. Authorize negotiation and execution of an interlocal agreement with Travis County Healthcare District d/b/a Central Health for cost participation with the City of Austin for infrastructure design and construction services related to the development of public street and utility infrastructure to service a 2.28-acre property located in the City-owned Colony Park Sustainable Community, in an amount not to exceed \$955,000. Related to items 7, 12, and 17.

Strategic Outcome(s): Economic Opportunity and Affordability, Health and Environment, Culture and Lifelong Learning.

District(s): District 1

12. Authorize negotiation and execution of a development agreement with CDC Colony Park Holdings, L.P. d/b/a Catellus Development Corporation to provide subdivision, platting, and entitlement services for an approximately 2.28-acre parcel of land and design, engineering and construction services for public street and utility infrastructure within the approximately 208-acre City-owned land known as “Colony Park Sustainable Community” in an amount not to exceed \$3,050,000. Related to items 7, 11, and 17.

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

District(s): District 1

13. Authorize negotiation and execution of a creative content incentive agreement with Eye Productions Inc. for an amount not to exceed \$213,910.

Strategic Outcome(s): Economic Opportunity and Affordability.

Housing and Planning

14. Authorize negotiation and execution of a one-year service agreement with the Austin Housing Finance Corporation to manage and operate various housing programs on the City of Austin's behalf during Fiscal Year 2021-2022 in an amount not to exceed \$107,989,134.

Strategic Outcome(s): Economic Opportunity and Affordability.

Law

15. Approve a settlement in Albina Roque et al v. City of Austin et al, Cause No. 1:17-cv-932 in the United States District Court for the Western District of Texas.

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

Management Services

16. Authorize negotiation and execution of a multi-term contract with Building Promise USA to provide re-entry services for formerly incarcerated individuals, for an initial 12-month term with two 12-month extension options, each in an amount not to exceed \$200,000, for a total agreement amount not to exceed \$600,000.

Strategic Outcome(s): Health and Environment, Culture and Lifelong Learning, Mobility, Economic Opportunity and Affordability, Safety, Government that Works for All.

Office of Real Estate Services

17. Authorize negotiation and execution of all documents and instruments necessary or desirable to sell and transfer approximately 2.28 acres, more or less, situated in the James Burleson Survey No. 10, Abstract No. 4 in Travis County, Texas being a portion of a 56.482 acre tract of land described as Tract 3, in a deed to the City of Austin, as recorded in document no. 2018037834 of the Official Public Records of Travis County, Texas to Travis County Healthcare District d/b/a Central Health, for a total amount of \$610,000. Related to items 7, 11, and 12.

Strategic Outcome(s): Economic Opportunity and Affordability, Health and Environment, Culture and Lifelong Learning.

District(s): District 1

18. Approve a restrictive covenant providing access to a parcel located at 10300 S IH 35 Service Road southbound within the Lenox Springs Section Two Subdivision and recorded as Document No. 2016130740 in the Official Public Records of Travis County, Texas.

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

District(s): District 5

Public Health

19. Authorize negotiation and execution of Amendment No. 2 to an agreement with Young Women's Christian Association to provide mental health services for the Asian and Pacific Islander and LatinX communities, to add funding to the 12-month term of October 1, 2021 to September 30, 2022 and one 12-month extension option each in an amount not to exceed \$100,000, for a revised total agreement amount not to exceed \$300,000.

Strategic Outcome(s): Health and Environment.

20. Authorize negotiation and execution of Amendment No. 7 to an agreement with Foundation for the Homeless to provide shelter and rapid rehousing services for families with children experiencing homelessness, to add one 12-month extension option, in an amount not to exceed \$264,519, for a revised total agreement amount not to exceed \$1,832,927.

Strategic Outcome(s): Economic Opportunity and Affordability.

21. Authorize negotiation and execution of Amendment No. 9 to an agreement with Autism Society to provide vocational services for adults on the autism spectrum, to add one 12-month extension option in an amount not to exceed \$74,246, for a revised total agreement amount not to exceed \$443,665.

Strategic Outcome(s): Health and Environment.

22. Authorize negotiation and execution of Amendment No. 7 to an agreement with the Youth and Family Alliance d/b/a LifeWorks to add one 12-month extension option, in an amount not to exceed \$899,862, for a revised total agreement amount not to exceed \$6,235,400.

Strategic Outcome(s): Economic Opportunity and Affordability.

23. Authorize negotiation and execution of Amendment No. 8 to an agreement with Worksource Greater Austin Area Workforce Board d/b/a Workforce Solutions Capital Area Workforce Board to provide early childhood services, to add two 12-month extension options each in an amount not to exceed \$931,842 for a revised total agreement amount not to exceed \$6,500,166.

Strategic Outcome(s): Economic Opportunity and Affordability.

24. Authorize negotiation and execution of Amendment No. 12 to an agreement with Caritas of Austin for the Best Single Source Plus program to extend the current term for an additional 12-month period in an amount not to exceed \$3,702,268, for a revised total agreement amount not to exceed \$25,821,126.

Strategic Outcome(s): Economic Opportunity and Affordability.

25. Authorize negotiation and execution of agreements to enhance and support local HIV-related treatment services each for an initial 7-month term, with three optional 12-month extensions, with

the following subrecipient-providers: Central Texas Community Health Centers, Inc. in an amount not to exceed \$179,310 for the initial term and each extension option, for a total agreement amount not to exceed \$1,145,715; AIDS Healthcare Foundation in an amount not to exceed \$45,256 for the initial term and each extension option, for a total agreement amount not to exceed \$510,875; AIDS Services of Austin, Inc. d/b/a Vivent Health in an amount not to exceed \$75,434 for the initial term and each extension option, for a total agreement amount not to exceed \$651,490; and ASHWell in an amount not to exceed \$174,587 for the initial term and each extension option, for a total agreement amount not to exceed \$1,407,492.

Strategic Outcome(s): Health and Environment.

26. Approve an ordinance amending the Fiscal Year 2021-2022 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to accept and appropriate an additional \$513,000 in grant funds from the United States Committee for Refugees and Immigrants and to add 1.0 full-time equivalent grant position, for the Refugee Health Grant.

Strategic Outcome(s): Health and Environment.

27. Authorize negotiation and execution of agreements to enhance and support local HIV-related prevention services for an initial 12-month term, with three optional 12-month extensions, with the following subrecipient-providers: Central Texas Community Health Center in an amount not to exceed \$85,209 for the initial term and each extension option, for a total agreement amount not to exceed \$340,836; and AIDS Healthcare Foundation in an amount not to exceed \$96,086 for the initial term and each extension option, for a total agreement amount not to exceed \$384,344.

Strategic Outcome(s): Health and Environment.

28. Authorize negotiation and execution of amendments to contracts for the provision of HIV-related housing services under the U.S. Department of Housing and Urban Development, Housing Opportunities for Persons with AIDS grant, to increase funding for a 12-month term beginning October 1, 2021, with the following providers: AIDS Services of Austin, Inc. dba Vivent Health in an amount not to exceed \$1,303,120, for a revised total agreement amount not to exceed \$5,907,645; and Project Transitions, Inc. in an amount not to exceed \$733,032, for a revised total agreement amount not to exceed \$2,605,761. Related to Item 29.

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

29. Approve an ordinance amending the Fiscal Year 2021-2022 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to accept and appropriate \$136,125 in grant funds from the U.S. Department of Housing and Urban Development for the Housing Opportunities for Persons with AIDS Program which provides housing and supportive services to people with the human immunodeficiency virus. Related to Item 28.

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

Purchasing Office

30. Authorize negotiation and execution of a cooperative contract with Software One, Inc., for a Microsoft Enterprise License agreement, for a term of three years in an amount not to exceed \$35,000,000.

(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.

31. Authorize award of two contracts with Austin Arborist Company, d/b/a Austin Tree Experts and Xeriscapes by Austin LLC d/b/a XBA, to provide tree planting services, each for a term of five years in an amount not to exceed \$675,000, divided between the contractors.

(Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. 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.

32. Authorize an amendment to an existing contract with Enertech Resources LLC, to provide manufacturing of replacement parts and restoration services for moonlight towers, for an increase in the amount of \$1,900,000, for a revised total contract amount not to exceed \$5,827,280.

(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. Current participation to date is 8.04% MBE and 0.30% WBE).

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

33. Authorize an amendment to an existing contract with Schneider Electric Systems USA, Inc., to provide continued generator control system upgrades, maintenance, and support services, for an increase in the amount of \$1,310,000 and to extend the term by three years, for a revised total contract amount not to exceed \$2,510,000.

(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.

34. Authorize negotiation and execution of a contract with Bluebeam, Inc. to provide site and building plan markup software licenses, cloud service, maintenance, and support, for a term of three years for a total contract amount not to exceed \$850,000.

(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, Economic Opportunity and Affordability.

35. Authorize negotiation and execution of a cooperative contract with Dell Marketing LP, for tracking location software licensing and maintenance services, for a term of 40 months for a total contract amount not to exceed \$734,000.

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

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

36. Authorize negotiation and execution of a cooperative contract with Sirius Computer Solutions, Inc. to provide Splunk logging, monitoring, and management services, for a term of three years for a total contract amount not to exceed \$4,000,000.

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

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

37. Authorize negotiation and execution of a contract with FL AUSTIN, LLC, d/b/a ForeverLawn Austin, to provide K9 synthetic grass, for a term of three years, in an amount not to exceed \$300,000.

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

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

38. Authorize award of a contract with Melendrez Trucking, LLC to provide decomposed granite and road base gravel, for a term of five years in an amount not to exceed \$1,300,000.

(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): Health and Environment.

Transportation

39. Approve an ordinance amending City Code Title 12 (Traffic Regulations) to add a new Chapter 8 establishing routes and procedures for the transportation of non-radioactive hazardous materials, repealing City Code Section 12-1-28 (Transporting Hazardous Material), creating offenses and establishing a penalty.

Strategic Outcome(s): Mobility, Safety, Health and Environment.

District(s): District 1; District 2; District 3; District 5; District 8

40. Authorize negotiation and execution of an interlocal agreement with Travis County for the development and construction of roadway improvements to the part of FM 2304 (Menchaca Road) within the City's limits, from Ravenscroft Drive to FM 1626, in an amount not to exceed

\$1,214,609.

Strategic Outcome(s): Mobility, Safety.

District(s): District 5

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 a resolution amending Resolution No. 20071129-045 related to the City of Austin Green Building Policy.
Sponsors: Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Ann Kitchen, and Council Member Alison Alter
43. Approve a resolution establishing the compensation and benefits for the City Auditor.
Sponsors: Mayor Steve Adler, Mayor Pro Tem Natasha Harper-Madison, Council Member Alison Alter, and Council Member Kathie Tovo
44. Approve a resolution establishing the compensation and benefits for the City Clerk.
Sponsors: Mayor Steve Adler, Mayor Pro Tem Natasha Harper-Madison, Council Member Alison Alter, and Council Member Kathie Tovo
45. Approve an ordinance establishing the compensation and benefits for the Austin Municipal Court Clerk.
Sponsors: Mayor Steve Adler, Mayor Pro Tem Natasha Harper-Madison, Council Member Alison Alter, and Council Member Kathie Tovo
46. Approve a resolution initiating an update to the Urban Design Guidelines.
Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Mayor Pro Tem Natasha Harper-Madison, and Council Member Sabino "Pio" Renteria
47. Approve an ordinance increasing the maximum number of special event days for the 2021 Trail of Lights Event at Zilker Metropolitan Park to 30 days.
Sponsors: Council Member Paige Ellis, Mayor Steve Adler, Council Member Gregorio Casar, Mayor Pro Tem Natasha Harper-Madison, and Council Member Ann Kitchen
48. Approve a resolution directing the City Manager to determine strategies necessary to implement various supportive and place-making actions for the African American Cultural District; explore ways of using the Live Music Fund to support the long-term sustainability of African American culture-based music industry projects located or produced within the District; and develop a plan to solicit proposals for the development of the 1100 Block of E.11th Street.
Sponsors: Mayor Pro Tem Natasha Harper-Madison, Mayor Steve Adler, Council Member Vanessa Fuentes, Council Member Kathie Tovo, and Council Member Ann Kitchen
49. Approve a resolution relating to the Special Events Task Force.

Sponsors: Mayor Steve Adler, Mayor Pro Tem Natasha Harper-Madison, Council Member Kathie Tovo, Council Member Paige Ellis, and Council Member Alison Alter

50. Approve a resolution directing the City Manager to initiate a program to turn off non-essential lighting in City buildings where feasible during peak fall and spring bird migration periods, engage in public education about the program, and consider making the program permanent.

Sponsors: Council Member Leslie Pool, Mayor Steve Adler, Council Member Alison Alter, Council Member Vanessa Fuentes, and Council Member Kathie Tovo

Item(s) to Set Public Hearing(s)

51. Set a public hearing to consider an ordinance amending Ordinance No. 20210811-002 to set the Fiscal Year 2021-22 Power Supply Adjustments, Community Benefit Charges, and Regulatory Charges for Austin Energy, and make corresponding amendments to the Austin Energy Fiscal Year 2021-22 operating budget in Ordinance No. 20210811-002 (Suggested date: Thursday, September 30, 2021, Austin City Hall, 301 W. 2nd St., Austin, Texas 78701).

Strategic Outcome(s): Government that Works for All

Non-Consent

10:30 AM - Austin Housing and Finance Corporation Meeting

52. 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/2021/20210902-ahfc.htm>)

Public Hearings and Possible Actions

53. Conduct a public hearing to consider a resolution authorizing and directing the Director of the Parks and Recreation Department to act on the City's behalf and work with the National Park Service and the Texas Parks and Wildlife Department in connection with the Outdoor Recreation Legacy Partnership (ORLP) program and to apply for an ORLP grant for up to \$3,125,000, to be matched by the City, to partially fund the cost of the Montopolis Pool Replacement project.

Strategic Outcome(s): Health and Environment.

District(s): District 3

54. Conduct a public hearing and approve an ordinance adopting the twelfth modification to the Urban Renewal Plan for the East 11th and 12th Streets Urban Renewal Area to align with proposed amendments to the East 11th and 12th Street Neighborhood Conservation Combining Districts. Related to Item 60 and 61.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 1

55. Conduct a public hearing and approve an ordinance for the full-purpose annexation of approximately 28.3 acres located in Travis County near 11122, 11204, 11208, and 11216 Cameron Road, and ratify an agreement with the owner of the land for the provision of services.

The property is adjacent to Austin Council District 1.

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

Executive Session

- 56. Consider compensation and benefits for the City Clerk (Personnel matters - Section 551.074 of the Government Code).
- 57. Consider compensation and benefits for the City Auditor (Personnel matters - Section 551.074 of the Government Code).
- 58. Consider compensation and benefits for the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).
- 59. Discuss legal issues related to Brenda Ramos et al v. City of Austin et al, Cause No. 1:20-cv-01256-RP in the United States District Court for the Western District of Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

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

- 60. C14-2021-0033 - East 11th Street NCCD Amendment - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as the East 11th Street NCCD, within the boundaries of IH-35 Northbound frontage road between East 12th Street and the northern alley of East 7th Street; East 11th Street from IH-35 to Navasota Street; Juniper Street between Branch Street and Navasota Street; Rosewood Avenue between Navasota Street and the eastern property line of 1314 Rosewood Avenue; and a segment of San Bernard Street) (Lady Bird Lake Watershed and Waller Creek Watershed). Applicant's request: To rezone property within the boundaries of the East 11th Street NCCD to amend allowable building heights, floor-to-area ratios (FAR), impervious cover maximums, permitted uses, uses permitted with additional conditions, and conditional uses. The proposed changes will not change any base zoning districts within the NCCD. Staff Recommendation and Planning Commission Recommendation: To amend allowable building heights, floor-to-area ratios (FAR), impervious cover maximums, permitted uses, uses permitted with additional conditions, and conditional uses. Agent: City of Austin, Housing and Planning Department. This is a City of Austin initiated zoning change. City Staff: Mark Walters, 512-974-7695.

District(s): District 1

- 61. C14-2021-0037 - East 12th Street NCCD Amendment - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as the East 12th Street NCCD, within the boundaries of the north side of East 12th Street between the IH-35 North frontage road and Poquito Street and the south side of East 12th Street between Branch Street and Poquito Street. (Lady Bird Lake Watershed and Waller Creek Watershed). Applicant's Request: To rezone property within the boundaries of the East 12th Street NCCD to amend allowable building heights, floor-to-area ratios (FAR), impervious cover maximums, permitted uses, uses permitted with additional conditions, and conditional uses. The proposed changes will not change any base zoning districts within the NCCD. Staff Recommendation and Planning Commission Recommendation: To amend allowable building heights, floor-to-area ratios (FAR), impervious

cover maximums, permitted uses, uses permitted with additional conditions, and conditional uses. Agent: City of Austin, Housing and Planning Department. This is a City of Austin initiated zoning change. City Staff: Mark Walters, 512-974-7695.

District(s): District 1

62. C14-2021-0016 Northwind Apartments -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11122, 11204, 11208, and 11216 Cameron Road (Harris Branch Watershed). Applicant's Request: To zone from unzoned (UNZ) to multifamily residence-medium density (MF-3) district zoning. Staff and Zoning and Platting Commission Recommendation: To grant multifamily residence-medium density (MF-3) district zoning. Owner/Applicant: Schroeder Family Trust, Ester Schroeder, Kim N. Nguyen, Hai Nguyen, and DADMK Inc. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

63. C14-2021-0105 - Wynne Lane Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7702 Wynne Lane (South Boggy Creek Watershed). Applicant's Request: To rezone 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: R. Scott Schaefer. Agent: Thrower Design, LLC (Victoria Haase). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

64. C14-2020-0131 - FPT Apartments - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1434 Genoa Drive (Slaughter Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to multifamily residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning, with conditions, as amended. First Reading approved for multifamily residence-limited density (MF-1) district zoning, with conditions on May 6, 2021. Vote: 10-0, Mayor Pro Tem Harper-Madison was off the dais. Owners: David Arthur Malone, Molly Sue Malone Denham, Jimmie Jo Malone. Applicant: FPT Holdings LLC (Saad Fidai). Agent: Scanlan, Buckle & Young, P.C. (Doug Young). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

65. C14-2021-0107 - Parkside Apartments - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 5200 McKinney Falls Parkway (Onion Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence-moderate-high density (MF-4) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate-high density (MF-4) district zoning. Owner/Applicant: PAP Realty Partnership / MVE Venture & The WP & AP Ltd. (C. Dean Goodnight). Agent: Husch Blackwell LLP (Nikelle Meade). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

66. HR-2021-085731 and HR-2021-085739 - Grandberry Building and Mitchell-Robertson Building.

Conduct a public hearing and approve a restrictive covenant establishing a timeline for reconstruction of historic landmark building facades at 907 and 909 Congress Avenue (Waller Creek Watershed). Applicant's Request: Approve the restrictive covenant. Staff Recommendation: Approve the restrictive covenant. Historic Landmark Commission Recommendation: Consider other legal mechanisms to establish a timeline for reconstruction and enforcement requirements if timely reconstruction does not occur. Applicant: Drenner Group, PC (Leah Bojo). City Staff: Elizabeth Brummett, Historic Preservation Office, Housing and Planning Department, 512-974-1264.

District(s): District 9

Consent Agenda

Budget

67. Approve a resolution declaring the City of Austin's official intent to reimburse itself from: November 2016 Proposition 1 General Obligation bonds in the amount of \$159,290,000; November 2018 Proposition A General Obligation bonds in the amount of \$87,000,000; November 2018 Proposition D General Obligation bonds in the amount of \$50,030,000; November 2018 Proposition G General Obligation bonds in the amount of \$79,860,400; Certificates of Obligation in the amount of \$59,305,000; and Contractual Obligations in the amount of \$36,683,000.

Strategic Outcome(s): Government that Works for All

68. Approve a resolution declaring the City of Austin's official intent to reimburse itself from the proceeds of tax-exempt obligations in an aggregate maximum principal amount of \$232,000,000 from Certificates of Obligation, \$50,660,000 from Contractual Obligations and \$1,438,264,600 from Public Improvement Bonds for various municipal projects.

Emergency Medical Services

69. Approve an ordinance amending Exhibit A to the Fiscal Year 2020-2021 City of Austin Fee and Fine Ordinance (Ordinance No. 20200812-002) and Exhibit A to the Fiscal Year 2021-2022 City of Austin Fee and Fine Ordinance (Ordinance No. 20210811-002) to authorize waivers from personal payment of certain emergency services fees relating to the discount and charity care fees for Emergency Medical Services.

Strategic Outcome(s): Safety.

Housing and Planning

70. Authorize a fee-in-lieu of on-site affordable housing for a proposed commercial development located at or near 1603 East 7th Street, Austin, Texas 78702, that is subject to the Plaza Saltillo Transit Oriented Development (TOD) Regulating Plan.

Strategic Outcome(s): Economic Opportunity and Affordability.

District(s): District 3

Law

71. Approve an ordinance amending Ordinance No. 20210811-010 ordering a special municipal election regarding funding, staffing, training, and oversight of the Austin Police Department; and declaring an emergency.

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

Office of Real Estate Services

72. Approve the termination of a restrictive covenant providing access to a parcel located at 10300 S IH 35 Service Road southbound within the Lenox Springs Section Two Subdivision and recorded as Document No. 2016130740 in the Official Public Records of Travis County, Texas.

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

District(s): District 5

Public Health

73. Authorize negotiation and execution of agreements to enhance and support local HIV-related treatment services for an initial 7-month term with three 12-month extension options, with the following subrecipient-providers: Central Texas Community Health Centers, Inc. in an amount not to exceed \$264,519 for the initial term and \$179,310 for each extension option, for a total agreement amount not to exceed \$1,145,715; AIDS Healthcare Foundation in an amount not to exceed \$229,567 for the initial term and \$45,256 for each extension option, for a total agreement amount not to exceed \$510,875; AIDS Services of Austin, Inc. d/b/a Vivent Health in an amount not to exceed \$133,794 for the initial term and \$75,434 for each extension option, for a total agreement amount not to exceed \$651,490; and ASHWell in an amount not to exceed \$615,131 for the initial term and \$174,587 for each extension option, for a total agreement amount not to exceed \$1,407,492.

Strategic Outcome(s): Health and Environment.

Item(s) from Council

74. Approve a resolution directing the City Manager to initiate a pilot to provide vehicular access to Morrow Street by opening the gate installed on Easy Wind Drive, and to assess the mobility and safety implications.

Sponsors: Council Member Leslie Pool, Council Member Alison Alter, Council Member Mackenzie Kelly, and Council Member Kathie Tovo

Non-Consent

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

75. C14-2019-0059 - SH 71 and FM 973 - Approve second and third readings of an ordinance amending City Code Title 25 by zoning and rezoning property locally known as 3201, 3203, 3205, 3209, and 3211-1/2 East SH 71 Service Road Westbound; 3214 Bessie Avenue; 3174 and 3176 Eva Street (Colorado River Watershed). Applicant's Request: To zone and rezone from interim-single family residence-standard lot (I-SF-2) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning, with conditions. First Reading approved on July 29, 2021. Vote: 11-0. Owner/Applicant: Stripes, LLC (Billy Arnette). Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2