



Thursday, January 27, 2022

The City Council will convene at 10:00 AM on Thursday, January 27, 2022 at Austin City Hall 301 W. Second Street, Austin, TX and some members of City Council may be participating by videoconference
<http://www.austintexas.gov/page/watch-atxn-live>



Mayor Steve Adler

Mayor Pro Tem Alison Alter, District 10

Council Member 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

Public comment will be allowed in-person or remotely by telephone. Speakers may only register to speak on an item once either in-person or remotely. For full instructions on participation in person or by telephone, please visit the Council Meeting Information Center:
http://austintexas.gov/department/city-council/council/council_meeting_info_center.htm

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

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

10:00 AM – City Council Convenes

Consent Agenda

Approval of Minutes

1. Approve the minutes of the Austin City Council special called joint meeting of January 19, 2021, special called joint meeting of March 23, 2021, special called joint meeting of July 20, 2021, work session of December 1, 2021, regular meeting of December 2, 2021, work session of December 7, 2021, regular meeting of December 9, 2021, special called joint meeting of December 14, 2021, special called meeting of December 14, 2021, special called meeting of December 20, 2021, special called joint meeting of January 4, 2022, and special called meeting of January 4, 2022.

Austin Energy

2. 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 \$130,000,000 for expenditures related to the acquisition and construction of electric utility capital improvement projects.
Strategic Outcome(s): Government that Works for All.
3. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent Electric Transmission and Distribution Easement consisting of approximately 0.114 acre (4,958 square feet), out of the North Lamar Park Annex, a subdivision in Travis County, Texas, and being a portion of the property located at 9307 N. Lamar Blvd., Austin, Texas 78753, for the Austin Energy Transmission Circuit 811 JL-MC 138kV upgrade project, in an amount not to exceed \$323,243, including standard and customary closing costs and fees.
Strategic Outcome(s): Government That Works for All.
District(s): District 2
4. Authorize expenditures for annual renewals of professional dues and memberships in national and state associations and organizations related to the electric utility industry, in an amount not to exceed \$512,151.
Strategic Outcome(s): Government That Works for All.

Austin Water

5. Approve Service Extension Request No. 4796 for wastewater service to a 69.12-acre tract located at 8921 West US Highway 290 within the Drinking Water Protection Zone, the City's 2-mile Extra-Territorial Jurisdiction and Austin Water's service area.

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

Communications and Technology Management

6. Authorize the negotiation and execution of an interlocal agreement with the Capital Area Council of Governments (CAPCOG) for the City to maintain and update CAPCOG's 9-1-1 Geographic Information System database.

Strategic Outcome(s): Safety.

Economic Development Department

7. Ratify an amendment to the contract with the Better Business Bureau to provide additional grants to arts and culture non-profits that had previously applied to the Austin Arts & Culture Non-Profit Relief Grant program, in the amount of \$5,406,380 for a total contract amount not to exceed \$41,510,805.

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

8. Approve an ordinance amending the Fiscal Year 2021-2022 Economic Development Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to accept and appropriate \$500,000 in grant funds from the National Endowment for the Arts' American Rescue Plan Grants to Local Arts Agencies for Sub-granting to provide funding for the Arts Education grant program to benefit Austin Arts Education organizations and Teaching Arts, prioritizing those led by and actively serving residents of lower income areas of Austin.

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

Financial Services

9. Approve an ordinance amending the Fiscal Year 2021-2022 Building Services Department Capital Budget (Ordinance No. 20210811-001) to increase appropriations by \$27,000,000 for the Municipal Building renovations. Related to Items #10, and #15.

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

10. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of Certificates of Obligations to be issued for expenditures in the total amount of \$27,000,000. Related to Items #9, and #15.

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

Financial Services- Contracts

11. Authorize negotiation and execution of a contract with Associated Time Instruments Co., Inc. d/b/a Associated Time & Parking Controls to provide maintenance, repair, and support services for the automated parking guidance system, for a term of five years in an amount not to exceed \$725,000.

(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): Mobility.

12. Authorize negotiation and execution of a contract with ETC Institute to provide survey services, for a term of five years for a total contract amount not to exceed \$4,500,000.

(Notes: 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.

13. Authorize award of a contract with Diversified Inspections/Independent Testing Laboratories to provide testing and inspection of aerial devices and ground ladders, for a term of five years in an amount not to exceed \$875,000.

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

Strategic Outcome(s):

Government that Works for All.

14. Authorize award of a contract with Ergon Asphalt & Emulsions Inc. to provide asphalt emulsion products, for a term of five years in an amount not to exceed \$6,250,000.

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

Strategic Outcome(s): Mobility.

15. Approve a resolution finding the use of the Design-Build method of contracting, as authorized by Subchapter G, Chapter 2269 of the Texas Government Code, as the project delivery method that provides the best value to the City for the Community Court 8th Street Municipal Building Renovation. Related to Items #9 and #10.

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

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

16. Authorize award and execution of a construction contract with Matous Construction, Ltd. for the Hornsby Bend Biosolids Management Plant Centrifuges project, in the amount of \$11,136,000 plus a \$1,113,600 contingency, for a total contract amount not to exceed \$12,249,600.

[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 35.63% MBE and 0.32% WBE participation.]

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

17. Authorize award and execution of a construction contract with PGC General Contractors, LLC for the Medical Arts Square Water and Wastewater System Renewal project, in the amount of \$2,978,573.00 plus a \$297,857.30 contingency, for a total contract amount not to exceed \$3,276,430.30.

[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 19.03% MBE and 1.11% WBE participation.]

Strategic Outcome(s): Health and Environment.

District(s): District 9

18. Authorize award and execution of a construction contract with Udelhoven, Inc. for the Southland Oaks Lift Station Wetwell Conversion & Hills of Bear Creek Lift Station Jib Crane Installation project in the amount of \$1,789,505.00 plus a \$178,950.50 contingency, for a total contract amount not to exceed \$1,968,455.50.

[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 14.68% MBE and 2.21% WBE participation.]

Strategic Outcome(s): Health and Environment.

District(s): District 8

19. Authorize negotiation and execution of a contract with Sabre Development, LLC to provide services to develop a framework for the economic districts in the City, for a term of two years for a total contract amount not to exceed \$120,000.

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

Strategic Outcome(s): Economic Opportunity and Affordability.

20. Authorize negotiation and execution of six contracts to provide weatherization services with 1st Choice Energy LLC d/b/a 1st Choice Energy, 360 Energy Savers LLC, Conservation Specialists of Austin, LLC, Good Neighbor Management d/b/a City Conservation d/b/a Totally Cool, KL Austin Roofing and Construction d/b/a Green Squads, and McCullough Heating & Air Conditioning Inc. d/b/a McCullough Heating & Air Conditioning, each for a term of five years in an amount not to exceed \$19,000,000 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 goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

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

21. Authorize award of two contracts with KBS Electrical Distributors Inc. and Sherman & Reilly to

provide bundle stringing blocks in an amount not to exceed \$160,000 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 no subcontracting opportunities; therefore, no subcontracting goals were established).

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

22. Authorize award of two contracts with Beard Integrated Systems, Inc. and SI Mechanical LLC for plumbing services, each for a term of five years in an amount not to exceed \$37,475,000 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).

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

23. Authorize award of a contract with D.H. Pace Company, Inc. d/b/a Door Control Services for automatic door maintenance, repair, replacements, and inspection services, for a term of five years in an amount not to exceed \$2,550,000.

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

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

24. Authorize negotiation and execution of a contract with Group 4 Architecture, Research + Planning, Inc. to provide comprehensive strategic planning, for one year in an amount not to exceed \$475,000.

(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): Culture and Lifelong Learning.

25. Authorize negotiation and execution of a contract with TEGSCO LLC d/b/a AutoReturn to provide total management of dispatch, towing, and impound services, for a term of five years for an estimated total revenue amount of \$3,830,000.

(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 was no availability of certified MBE and WBE firms; therefore, no subcontracting goals were established.).

Strategic Outcome(s): Safety, Mobility.

26. Authorize negotiation and execution of a contract with RFD & Associates Inc. to provide an ethics

electronic filing system, for a term of five years in an amount not to exceed \$1,065,000.

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

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

27. Authorize negotiation and execution of a contract with Distance Learning Media, LLC to provide small business training, for a term of three years for a total contract amount not to exceed \$360,000.

(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): Economic Opportunity and Affordability.

28. Ratify a contract with Staples Inc. d/b/a Staples Promotional Products to provide COVID-19 vaccine incentive gift cards, in the amount of \$554,150.

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

Strategic Outcome(s): Health and Safety.

29. Authorize negotiation and execution of a cooperative contract with Staples Inc. d/b/a Staples Promotional Products for COVID-19 vaccine incentive gift cards, for a term of 18 months in an amount not to exceed \$945,850.

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

Strategic Outcome(s): Health and Safety.

30. Authorize negotiation and execution of 18 contracts with various contractors to provide professional underwriter and investment banking services for negotiated bond sales, each for a term of five years.

(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.

31. Authorize negotiation and execution of a Construction Manager at Risk Agreement with JE Dunn/Clark, a Joint Venture, for preconstruction and construction services for the Barbara Jordan Terminal project in an amount not to exceed \$46,000,000.

[Note: This contract will be awarded in compliance with 49 CFR Part 26 DBE Procurement Program by meeting the goals with 2.28% DBE participation.]

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

District(s): District 2

32. Authorize negotiation and execution of an amendment to the professional services agreement with Studio 8 Architects, Inc. for professional design services for the Dougherty Arts Center Replacement Project in the amount of \$2,300,000 for a total contract amount not to exceed \$4,300,000.

[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 18.55% MBE and 0.00% WBE.]

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

33. Authorize negotiation and execution of various multi-term cooperative contracts to provide vehicles and equipment, each for up to three years for total contract amounts not to exceed \$966,000 divided among the contractors.

(Note: These procurements were 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 these procurements, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

Strategic Outcome(s): Mobility.

34. Authorize negotiation and execution of Amendment No. 1 to an agreement with LVP FFI Austin LLC d/b/a Fairfield Inn & Suites Austin Northwest/Research Blvd, a limited liability company, to extend the City's occupancy of the real property located at 13087 Research Blvd, Austin, Texas, 78750 for emergency housing, isolation, and support services related to COVID-19 for an additional one-month term, with an option to extend for four (4) successive one-month terms, in the amount of \$963,900 for a total contract amount not to exceed \$1,921,500.

Strategic Outcome(s): Health and Environment.

District(s): District 6

35. Authorize the negotiation and execution of an amended and restated lease for an initial term of 60 months and two 60-month renewal options with Wild About Music, Inc., d/b/a Austin Rocks, for approximately 1,435 square feet of retail space at located at 301 West 2nd St., Suite 200.

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

District(s): District 9

36. Authorize negotiation and execution of a ground lease with Protestant Episcopal Church Council of the Diocese of Texas for real property consisting of approximately 1.604 acres of land, more or less, located at 4601 Westlake Drive, Austin, Texas 78746, for a term of forty (40) years, with one additional forty (40) year option for the operation of a new Austin Fire Department/Emergency Medical Services station, in an amount not to exceed \$9,060,297.

Strategic Outcome(s): Safety.

District(s): District 10

Fleet Services

37. Approve an ordinance amending the Fiscal Year 2021-2022 Fleet Mobility Services Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to accept and appropriate \$36,000 in grant funds from the Texas Comptroller of Public Accounts, State Energy Conservation Office to assist with the installation of electrical vehicles charging stations.
Strategic Outcome(s): Mobility, Health & Environment.
38. Approve an ordinance authorizing acceptance of \$45,000 in grant funds from the Texas Commission on Environmental Quality; amending the Fiscal Year 2021-2022 Fleet Mobility Services Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to appropriate these funds; and amending the Fiscal Year 2021-2022 Fleet Mobility Services Department Capital Budget (Ordinance No. 20210811-001) to transfer in and appropriate \$45,000 from the Fleet Mobility Services Department Operating Budget Special Revenue Fund to assist with the purchase of Level 2 charging equipment.
Strategic Outcome(s): Mobility, Health & Environment.

Housing and Planning

39. Approve an ordinance amending the Fiscal Year 2021-2022 Housing and Planning Department Operating Budget (Ordinance No. 20210811-001) to increase appropriations by \$7,032,952 in the Housing Trust Fund, reduce the Housing Trust Fund ending balance by the same amount, and transfer in and appropriate \$7,032,952 to the Housing and Planning Department Capital Budget (Ordinance No. 20210811-001) from the Housing Trust Fund for housing and community development purposes of the Housing Trust Fund.
Strategic Outcome(s): Economic Opportunity and Affordability.
40. Authorize negotiation and execution of a one-year agreement with Texas RioGrande Legal Aid to provide emergency eviction counseling and prevention services to ensure tenant stabilization in an amount not to exceed \$220,000.
Strategic Outcome(s): Economic Opportunity and Affordability.
41. Authorize negotiation and execution of an amendment to extend an agreement with El Buen Samaritano to September 30, 2022, and to modify the type of rental payments and households eligible for assistance, in an amount not to exceed \$880,000.
Strategic Outcome(s): Economic Opportunity and Affordability.

Law

42. Approve a settlement in Jacquelyn Andrews and Charles Perkins v. City of Austin, Cause No. D-1-GN-20-002098, in the 250th Judicial District Court, Travis County, Texas.
Strategic Outcome(s): Government That Works for All.
43. Approve a settlement in Breanna Williams v. Canche et al, Cause No. 1: 19-cv-00633-RP, in the United States District Court for the Western District of Texas, Austin Division.
Strategic Outcome(s): Government that Works for All.
44. Approve a settlement in Smith et al v. City of Austin et al, Cause No. D-1-GN-21-003081 in the

201st District Court, Travis County, Texas; Senko et al v. City of Austin et al, Cause No. 1:20-cv-01047, in the United States District Court Western Division, Austin, Texas.

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

Municipal Court

45. Approve an ordinance amending City Code Chapter 2-10 (Municipal Court) to establish the City Marshal Office as a division of the Austin Municipal Court; repealing Sections 2-6-1 through 2-6-14 related to the former Public Safety and Emergency Management Department, renumbering remaining sections accordingly, and renaming Chapter 2-6 (Public Safety and Emergency Management Department).

Strategic Outcome(s): Safety.

Parks and Recreation

46. Approve an ordinance amending the Fiscal Year 2021-2022 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to accept and appropriate \$155,482 in grant funds from the Capital Area Metropolitan Planning Organization to provide funding for the Enhanced Mobility of Seniors and Individuals with Disabilities Project.

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

Police

47. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Public Safety Crime Laboratory Service to provide forensic DNA analysis services in an amount not to exceed \$5,363,839.

Strategic Outcome(s): Safety.

Public Health

48. Ratify an interlocal agreement with Travis County for the City's provision of public health services, for a 12-month period beginning October 1, 2021 in an amount not to exceed \$4,859,345 to be paid to the City.

Strategic Outcome(s): Health and Environment.

Watershed Protection Department

49. Authorize the negotiation and execution of an agreement with HC+EM, LLC, a Texas Limited Liability Company, for public storm drain infrastructure improvements for a total contract amount not to exceed \$500,000.

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

Item(s) from Council

50. 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.

51. Approve a resolution directing the City Manager to implement recommendations outlined by the Central Health Equity Policy Council's Pandemic Equity Committee.

Sponsors: Council Member Mackenzie Kelly, Council Member Leslie Pool, Council Member Vanessa Fuentes, and Council Member Ann Kitchen

52. Approve an ordinance waiving the requirements of City Code Title 14, Chapter 14-1, Article 4; renaming Lamar Beach at Town Lake Metro Park as "Volma Overton, Sr. Shores at Town Lake Metro Park"; and directing the City Manager to amend the Lamar Beach Vision Plan to reflect the new name of the park.

Sponsors: Council Member Kathie Tovo, Council Member Natasha Harper-Madison, Council Member Sabino "Pio" Renteria, Mayor Pro Tem Alison Alter, and Council Member Leslie Pool

53. Approve a resolution directing the City Manager to initiate an ordinance to assist employees working within the city-limits to file complaints for unpaid wages and require those employers to take certain actions to ensure employees are paid wages due; determine strategies necessary to collaborate with local law enforcement to address allegations of wage theft; and develop a plan to maintain a database of final determinations of state and federal labor violations committed in the City of Austin.

Sponsors: Council Member Ann Kitchen, Council Member Gregorio Casar, Council Member Kathie Tovo, Council Member Vanessa Fuentes, and Council Member Sabino "Pio" Renteria

54. Approve an ordinance waiving or reimbursing certain development fees in an amount not to exceed \$8,778 to renovate the Mexic-Arte Museum located at 419 Congress Avenue.

Sponsors: Council Member Gregorio Casar, Council Member Vanessa Fuentes, Council Member Sabino "Pio" Renteria, Council Member Paige Ellis, and Council Member Kathie Tovo

55. Approve a resolution directing the City Manager to present waivers for Mexic-Arte development fees for Council consideration annually.

Sponsors: Council Member Gregorio Casar, Council Member Vanessa Fuentes, Council Member Sabino "Pio" Renteria, Council Member Paige Ellis, and Council Member Kathie Tovo

Item(s) to Set Public Hearing(s)

56. 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 17, 2022 at Austin City Hall, 301 W. Second Street, Austin, Texas).

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

Non-Consent

Item(s) Referred from Council Committee(s)

57. Discussion and possible action regarding proposed bylaws amendments and meeting locations for the Planning Commission, Zoning and Platting Commission, and Board of Adjustment.

Sponsors: Audit and Finance Committee

Eminent Domain

58. Approve a resolution authorizing the filing of eminent domain proceedings for the Burnet Road Corridor Project for the public use of constructing a shared-use path route and landscaping within the project area that will address congestion and enhance safety for pedestrians and cyclists; the fee simple acquisition of approximately 0.0098 of an acre of land (approximately 425 square feet), being out of and a portion of the George W. Spear League, Survey No. 7, Abstract No. 697, being out of that portion of Lot 1 Block G, Burnet Heights Subdivision, a subdivision of record in Book 5, Page 39, Plat Records, City of Austin, Travis County, Texas, said portion of Lot 1 being described as the South 85.06 feet of Lot 1 conveyed to The Walter E. Teinert and Florene L. Teinert Revocable Living Trust by Deed, executed September 26, 2011, as recorded in Document No. 2011142115, Official Public Records, Travis County, Texas in the amount of \$270,090.00. The owner of the needed property is The Walter E. Teinert and Florene L. Teinert Revocable Living Trust. The property is located at 2012 W. Koenig Lane, Austin, Texas 78756. The general route of the project is along Burnet Road between Koenig Lane to MoPac Expressway.

Strategic Outcome(s): Mobility, Safety.

District(s): District 7

59. Approve a resolution authorizing the filing of eminent domain proceedings for the Burnet Road Corridor Project for the public use of constructing a shared-use path route and landscaping within the project area that will address congestion and enhance safety for pedestrians and cyclists; the fee simple acquisition of approximately 0.0275 of an acre of land (approximately 1,197 square feet) and a Temporary Construction Easement of approximately 0.0047 of an acre of land (approximately 206 square feet), being out of and a portion of the George W. Spear League, Survey No. 7, Abstract No. 697, being out of that portion of Block G designated as "Proposed Commercial Property", Burnet Heights Subdivision, a subdivision of record in Book 5, Page 39, Plat Records, City of Austin, Travis County, Texas in the amount of \$159,893. The owner of the needed property is Northwest Center, Ltd. The property is located at 5901-6113 Burnet Road, Austin, Texas 78757. The general route of the project is along Burnet Road between Koenig Lane to MoPac Expressway.

Strategic Outcome(s): Mobility, Safety.

District(s): District 7

60. Approve a resolution authorizing the filing of eminent domain proceedings for the Burnet Road Corridor Project for the public use of constructing a shared-use path route and landscaping within the project area that will address congestion and enhance safety for pedestrians and cyclists; the fee simple acquisition of approximately 0.0425 of an acre of land (approximately 1,851 square feet), being out of and a portion of the James B. Rogers Survey No. 19, Abstract No. 659, being out of Lot 1A, Resubdivision of Section Two, Braker at Burnet, a subdivision of record in Book 100, Page 255, Plat Records, City of Austin, Travis County, Texas in the amount of \$216,659. The owner of the needed property is Halle Properties, LLC. The property is located at 2623 W. Braker Lane, Austin, Texas 78758. The general route of the project is along Burnet Road between Koenig Lane to MoPac Expressway.

Strategic Outcome(s): Mobility, Safety.

District(s): District 7

61. Approve a resolution authorizing the filing of eminent domain proceedings for the Loop 360 at

Westlake Waterline Relocation Project for the public use of accommodating roadway improvements, relocation of waterline infrastructure in conflict, and the acquisition of a Water Line Easement being 0.065 acre (2,849 square feet) of land out of and a part of the Burke Trammel Survey No.3, Abstract No. 768 in Travis County, Texas, same being a portion of Lot 4-A, Block A, amended plat of Lots 2-A, 3-A and 4-A, Block A of the amended plat of Lots 37-43, Block A, Davenport West P.U.D. Section 5, Phase 6, recorded in Document No. 200900133 of the Official Public Records of Travis County, Texas conveyed to San Clemente Office Partners, LLC, by Special Warranty Deed executed June 15, 2017, filed for record on June 20, 2017 and recorded in Document No. 2017098839 of the Official Public Records of Travis County, Texas in the amount of \$24,216. The owner of the needed property is San Clemente Office Partners, LLC. The property is located at 3900 North Capital of Texas Highway, Austin, Texas 78746.

Strategic Outcome(s): Mobility.

District(s): District 10

10:30 AM - Austin Housing and Finance Corporation Meeting

62. 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/2022/20220127-ahfc.htm>)

Public Hearings and Possible Actions

63. Conduct a public hearing and consider an ordinance regarding CenterPoint Energy's proposal to change customer natural gas rates and to adopt an Energy Efficiency Cost Recovery Rider.

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

12:00 PM - Citizen Communications: General

Leslie Padilla- Austin Pets Alive and the Animal Advisory Commission. I am a previous resident of Austin.

Ethan Smith- Future of West Campus as "Town And Gown" district + The UT Project Connect stop should be on Rio Grande at 24th and run down Rio Grand to 12th street.

Paul Robbins- City Issues, including gas utilities.

Frances Acuna- City of Austin Resilience Hubs Standing Orders to prepare for future climate disasters.

Dan Hess- Austin Build + Connect, problems with getting permit and inconsistencies/impractical processes for getting a permit. This entire department and process needs to be examined.

Executive Session

64. Discuss legal issues related to Smith et al v. City of Austin et al, Cause No. D-1-GN-21-003081 in the 201st District Court, Travis County, Texas; Senko et al v. City of Austin et al, Cause No. 1:20-cv-01047, in the United States District Court for the Western District of Texas, Austin Texas

(Private consultation with legal counsel - Section 551.071 of the Government Code).

65. 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).
66. Discuss legal issues related to Ida Renae Nobles, et al v. Richard Egal and Maxwell Johnson, Cause No. 1:19-cv-00389-ML, in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).
67. Discuss legal issues concerning the December 28, 2021 arbitration ruling on a labor contract grievance filed by the Austin Police Association. (Discussion of legal issues, Tex. Gov't Code Sec. 551.071).

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

68. C14-2021-0009 - 1725 Toomey - Approve second and third reading of an ordinance amending City Code Title 25 by zoning property locally known as 1725 Toomey Road (Lady Bird Lake Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to multifamily residence highest density-conditional overlay (MF-6-CO) combining district zoning, as amended. First Reading approved multifamily residence highest density-conditional overlay (MF-6-CO) combining district zoning on December 9, 2021. Vote: 11-0. Owner/Applicant: 1725 Toomey LLC. Agent: Drenner Group PC (Amanda Swor). City Staff: Kate Clark, 512-974-1237. A valid petition has been filed in opposition to this rezoning request.

District(s): District 5

69. NPA-2019-0022.01-200 Academy- Conduct a public hearing and approve an ordinance amending Ordinance No. 20050929-Z001 the Greater South River City 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 146 ½, 200, 200 ½ and 204 ½ Academy Drive; and 1006 and 1020 Melissa Lane (Blunn Creek Watershed) from Mixed Use Office to Mixed Use land use. Staff and Planning Commission Recommendation: To grant Mixed Use land use on Tract 1. Owner/Applicant: Spearhead Academy, LTD (Chris Wallin). Agent: Weiss Architecture, Inc. (Richard Weiss). City Staff: Maureen Meredith, Housing and Planning Department (512) 974-2695.

District(s): District 9

70. C14-2020-0147 - 200 Academy - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning a property locally known as 146 ½, 200, 200 ½, and 204 ½ Academy Drive; and 1006 and 1020 Melissa Lane (East Bouldin Creek Watershed). Applicant Request: To rezone from commercial-liquor sales-neighborhood conservation-neighborhood plan (CS-1-NCCD-NP) combining district zoning to commercial-liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district zoning on Tract 1, from general commercial services-neighborhood conservation-neighborhood plan (CS-NCCD-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning on Tract 2, and from multifamily residence moderate-high density-neighborhood conservation-neighborhood plan (MF-4-NCCD-NP) combining district zoning to multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning on Tract

3. Staff Recommendation: To grant commercial-liquor sales-mixed use-neighborhood conservation-neighborhood plan (CS-1-MU-NCCD-NP) combining district zoning on Tract 1, general commercial services-mixed use-neighborhood conservation-neighborhood plan (CS-MU-NCCD-NP) combining district zoning on Tract 2, and multifamily residence moderate-high density-neighborhood conservation-neighborhood plan (MF-4-NCCD-NP) combining district zoning on Tract 3, with conditions. Planning Commission Recommendation: To grant commercial-liquor sales-mixed use-neighborhood conservation-neighborhood plan (CS-1-MU-NCCD-NP) combining district zoning on Tract 1, general commercial services-mixed use-neighborhood conservation -neighborhood plan (CS-MU-NCCD-NP) combining district zoning on Tract 2, and multifamily residence moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning on Tract 3, with conditions. Owner: Spearhead Academy LTD (Chris Wallin). Applicant: Weiss Architecture Inc (Richard Weiss). City Staff: Kate Clark, 512-974-1237. A valid petition has been filed in opposition to this rezoning case.

District(s): District 9

71. C14H-2021-0164 - Chrysler Air Temp House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2502 Park View Drive. Applicant's Request: To rezone from single family residence standard lot (SF-2) district zoning to single family residence standard lot - historic landmark (SF-2-H) combining district zoning. Historic Landmark Commission Recommendation and Staff Recommendation: To grant single family residence standard lot - historic landmark (SF-2-H) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed January 18, 2022. City Staff: Steve Sadowsky, Historic Preservation Office, Housing and Planning Department, 512-974-6454.

District(s): District 7

72. C14-2021-0127 Rogers Lane Residential - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known 5417 Rogers Lane (Walnut Creek and Elm Creek Watersheds). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to urban family residence (SF-5) district zoning, as amended. First reading approved urban family residence (SF-5) district zoning on November 18, 2021. Vote: 11-0. Owner/Applicant: 5417 Rogers Lane LLC (Stuart Carr). Agent: Thrower Design, LLC (A. Ron Thrower). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.

District(s): District 1

73. C14-2021-0137 - 3427 Jefferson Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3427 Jefferson Street (Shoal Creek Watershed). Applicant Request: To rezone from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to general commercial services-neighborhood plan (CS-NP) combining district zoning. Staff Recommendation: To grant general commercial services-neighborhood plan (CS-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Owner: Estate of Tom Wiley (Lindabeth Doby, Executor). Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 10

74. NPA-2020-0015.03 - 6705 & 6501 Regiene Road - Approve second and third readings of an ordinance amending Ordinance No. 021107-Z-11 the East MLK Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 6501 and 6705 Regiene Road (Boggy Creek Watershed) from Industry to Major Planned Development land use. First Reading approved Major Planned Development land use on November 18, 2021. Vote: 11-0. Owner/Applicant: KUNIKCO LLC (Daryl Kunik). Agent: Drenner Group (Leah M. Bojo). City Staff: Jesse Gutierrez, Housing and Planning Department (512) 974-1606.

District(s): District 1

75. C14-2020-0150 6705 and 6501 Regiene Road- Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 6501 and 6705 Regiene Road (Boggy Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning and limited industrial services-neighborhood plan (LI-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. The ordinance may include modifications of City regulations. First Reading approved on November 18, 2021. Vote 11-0. Owner/Applicant: Kunikco, LLC (Daryl Kunik). Agent: Drenner Group PC (Leah Bojo). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

76. NPA-2021-0026.01, Grady & Brownie Mixed Use-Approve third reading an ordinance amending Ordinance No. 20100624-110 the North Lamar 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 10609, 10611, 10613, and 10615 Brownie Drive; and 10610, 10612, and 10614 Middle Fiskville Road (Walnut Creek & Little Walnut Creek Watersheds) from Single Family and Neighborhood Commercial land use to Mixed Use land use. First reading approved mixed use land use on November 4, 2021. Vote: 8-3. Council Members A. Alter, K. Tovo and M. Kelly voted nay. Second reading approved mixed use land use on November 18, 2021. Vote: 11-0. Owner/Applicant: Grady & Brownie Investments, LLC. Agent: Thrower Design (Ron Thrower & Victoria Haase). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 4

77. C14-2021-0039 - Grady and Brownie Mixed Use - District 4 - Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 10609, 10611, 10613, and 10615 Brownie Drive; and 10610, 10612, and 10614 Middle Fiskville Road (Little Walnut Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning for Tract 1 and from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning for Tract 2. First Reading approved multifamily residence-low density district-neighborhood plan (MF-2-NP) combining district zoning for Tract 1 and neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning for Tract 2 on November 4, 2021. Vote: 8-3, Council

Members A. Alter, K. Tovo and M. Kelly-No. Second Reading approved multifamily residence-low density district-neighborhood plan (MF-2-NP) combining district zoning for Tract 1 and neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning for Tract 2 on November 18, 2021. Vote: 11-0. Owner/Applicant: Grady & Brownie Investments LLC (Saleem Memon). Agent: Thrower Design (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request.

District(s): District 4

78. C14-2021-0160 - 8440 Burnet Multifamily - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8440 Burnet Road (Shoal Creek Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning, commercial-liquor sales (CS-1) district zoning and commercial-liquor sales-conditional overlay (CS-CO) combining district zoning to multifamily residence-highest density (MF-6) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant multifamily residence-highest density-conditional overlay (MF-6-CO) combining district zoning. Owner/Applicant: OP II ATX 8440 BURNET ROAD LTD. (Jamil Alam, Executive Vice President). Agent: Armbrust & Brown PLLC (Walter W. Cardwell IV). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

79. C14-2021-0168 - Texas Cat Doctor - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 13264 Pond Springs Road (Lake Creek Watershed). Applicant Request: To zone from interim-rural residence (I-RR) district zoning to community commercial (GR) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial (GR) district zoning. Owner/Applicant: Texas Cat Hospital, Inc. (Kim Percival). Agent: HB Construction (Josh McKay). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 6

80. NPA-2021-0020.01 -Shelby Lane Residences-Conduct a public hearing and approve an ordinance amending Ordinance No. 20050818-Z001 the South Congress 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 4700 Weidemar Lane (Williamson Creek Watershed) from Commercial to Multifamily Residential land use. Staff and Planning Commission recommendation: To grant the applicant's request for Multifamily Residential land use. Owner/Applicant Shelby Lane Development, LLC (Cass Brewer). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 3

81. C14-2021-0015 - Shelby Lane Residences - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4700 Weidemar Lane (Williamson Creek Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to multifamily residence-highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant multifamily

residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning, with conditions. Owner/Applicant: Shelby Lane Development, LLC (Cass Brewer). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 3

82. C14-2021-0173 - 11911 Burnet Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11901 and 11911 Burnet Road (Walnut Creek Watershed). Applicant Request: To rezone from north burnet/gateway-neighborhood plan (NBG-NP) combining district (neighborhood residential subdistrict) zoning to north burnet/gateway- neighborhood plan (NBG-NP) combining district (commercial mixed use subdistrict) zoning. Staff Recommendation and Planning Commission Recommendation: To grant north burnet/gateway- neighborhood plan (NBG- NP) combining district (commercial mixed use subdistrict) zoning. Owner/Applicant: Randolph-Brooks Federal Credit Union. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

83. C14H-2021-0165 - Dr. Sidney, Jr. and Helen White House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8601 Azalea Trail. Applicant's Request: To rezone from single family residence (SF-3) district zoning to single family residence - historic landmark (SF-3-H) combining district zoning. Historic Landmark Commission Recommendation, Staff Recommendation and Zoning and Platting Commission Recommendation: To grant single family residence - historic landmark (SF-3-H) combining district zoning. Applicant: MRR Investments, LLC (Lamont and Alta Alexander, owner). City Staff: Elizabeth Brummett, Historic Preservation Office, Housing and Planning Department, 512-974-1264.

District(s): District 10

84. C814-90-0003.21 Harris Branch PUD Amendment 21 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning a property locally known as US Highway 290 and Harris Branch Parkway (Gilleland, Harris Branch, and Decker Creek Watershed). Applicant Request: To rezone from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. Staff Recommendation and Planning Commission Recommendation: To grant planned unit development (PUD) district zoning, to change a condition of zoning. Owner: Austin HB Residential Properties, Ltd. Applicant: Coats Rose PC (John M. Joseph). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 1

85. C14-2021-0150 - Menchaca South - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1902 Keilbar Lane, 7515 and 7603 Menchaca Road (Williamson Creek Watershed). Applicant's Request: To rezone from family residence (SF-3) district zoning to multifamily residence-low density (MF-2) district zoning. Staff Recommendation: To grant multifamily residence-low density (MF-2) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Owner/Applicant: Menchaca South, LLC (Laura Burkhart). Agent: RubyAnne

Designs (Michael Winningham). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

86. C14-2021-0151 - AR - JR .85 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 11501 Menchaca Road (Slaughter Creek Watershed). Applicant's Request: To zone from interim-single family residence standard lot (I-SF-2) district zoning to general commercial services (CS) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Owner/Applicant: AR & JR Real Estate Holdings (Charles Norris). Agent: Bennett Consulting (Rodney Bennett). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 5

87. C14-2021-0166 - South Congress Avenue Residences - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6424 South Congress Avenue (Williamson Creek Watershed). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on February 8, 2022. Owner/Applicant: Calixto Jesus Cobos. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

Adjourn

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