

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, MAY 5, 2022**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, May 5, 2022 at Austin City Hall, 301 W. Second Street, Austin, TX and via videoconference.

Mayor Adler called the Council Meeting to order at 10:18 a.m.  
Mayor Pro Tem, Council Memebers Vela, Renteria, Fuentes, Ellis, and Kitchen present.  
Council Members Harper-Madison and Tovo remote.  
Council Members Pool and Kelly absent.

**CONSENT AGENDA**

1. Approve the minutes of the Austin City Council work session of April 19, 2022 and regular meeting of April 21, 2022.  
**The motion to approve the minutes of the Austin City Council work session of April 19, 2022 and regular meeting of April 21, 2022 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
2. Authorize reimbursement of costs to Waller Creek Owner, LLC., for the purchase and installation of heat exchanger skids required to interconnect the Waller building to the Austin Energy downtown district cooling system in an amount not to exceed \$1,619,816. District(s) Affected: District 9. Strategic Outcome(s): Government that Works for All.  
**The motion authorizing the reimbursement of costs to Waller Creek Owner, LLC., was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
3. Approve an ordinance amending City Code Chapter 2-13, related to administrative penalties and penalty ranges for water conservation violations, and City Code Chapter 6-4 related to obtaining and submitting evaluations. Strategic Outcome(s): Health and Environment.  
**Ordinance No. 20220505-003 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

4. Approve an ordinance amending Ordinance No. 20210811-005 to increase the number of Commander-Communications positions in the Emergency Medical Services Department. Strategic Outcome(s): Safety.  
**Ordinance No. 20220505-004 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
5. Authorize award and execution of a construction contract with Facilities Rehabilitation, Inc. (WBE), for the Academy Drive Water and Wastewater Pipeline Renewal project in the amount of \$2,196,505 plus a \$219,650.50 contingency, for a total contract amount not to exceed \$2,416,155.50. [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 99.09% MBE and 0.91% WBE participation.]. District(s) Affected: District 9. Strategic Outcome(s): Health and Environment.  
**The motion authorizing the award and execution of a construction contract with Facilities Rehabilitation, Inc. (WBE), was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
6. Authorize award and execution of a construction contract with Matous Construction Ltd., for the Davis Water Treatment Plant Filter Media Tank Improvements project in the amount of \$820,000 plus a \$82,000 contingency for a total contract amount not to exceed \$902,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.29% MBE and 4.68% WBE participation.] District(s) Affected: District 10. Strategic Outcome(s): Safety.  
**The motion authorizing the award and execution of a construction contract with Matous Construction Ltd., was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
7. Ratify a contract with Ovivo USA LLC to provide a turbine drive and installation, in the amount of \$280,000. (Note: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established). Strategic Outcome(s): Health and Environment.  
**The motion to ratify a contract with Ovivo USA LLC was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
8. Ratify a contract with Texas Excavation Safety System Inc. to provide utility location services, in the amount of \$105,854. (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): Safety.  
**The motion to ratify a contract with Texas Excavation Safety System Inc. was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

9. Authorize an amendment to a contract with Texas Excavation Safety System Inc. for continued utility location services, to increase the amount by \$850,000 for a revised total contract amount not to exceed \$1,150,000. (Note: Sole source contracts are exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established). Strategic Outcome(s): Safety.  
**The motion authorizing an amendment to a contract with Texas Excavation Safety System Inc. was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
10. Authorize negotiation and execution of a contract with Crown Texas Inc., or one of the other qualified offerors to Request for Proposals 1100 DTB3010, to provide prefabricated substation control houses, for a term of five years in an amount not to exceed \$10,000,000. (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 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.  
**The motion authorizing the negotiation and execution of a contract with Crown Texas Inc., was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
11. Authorize award of a contract with EAR Telecommunications, LLC (M/DBE) to provide traffic signal preventive maintenance, for a term of five years in an amount not to exceed \$5,712,500. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Mobility.  
**The motion authorizing the award of a contract with EAR Telecommunications, LLC (M/DBE) was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
12. Authorize award of a contract with Consolidated Traffic Controls Inc. to provide accessible pedestrian signal push buttons and control units, for a term of five years in an amount not to exceed \$2,335,865. (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.  
**The motion authorizing the award of a contract with Consolidated Traffic Controls Inc. was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

**Item 13 was pulled for discussion**

14. Authorize negotiation and execution of a contract with Ring Power Corporation d/b/a Ring Power Lift Truck or Ring Power Crane or Power System for a Ring Power Tactical Solutions Vehicle, in

the amount of \$376,000. (Note: Sole Source contracts are exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established). Strategic Outcome(s): Safety.

**The motion authorizing the negotiation and execution of a contract with Ring Power Corporation doing business as Ring Power Lift Truck or Ring Power Crane or Power System was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

15. Authorize award of a contract with Longhorn International Trucks LTD d/b/a Kyrish Truck Centers or Kyrish Truck Centers of Austin to provide aftermarket parts for medium and heavy-duty vehicles and equipment, for a term of five years in an amount not to exceed \$2,915,000. (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.  
**The motion authorizing the award of a contract with Longhorn International Trucks LTD doing business as Kyrish Truck Centers or Kyrish Truck Centers of Austin was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
16. Authorize negotiation and execution of a contract with Texan Waste Equipment Inc. d/b/a Heil of Texas to provide original equipment manufacturer parts and repair services for Schwarze street sweepers, for a term of five years for a total contract amount not to exceed \$900,000. (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.  
**The motion authorizing the negotiation and execution of a contract with Texan Waste Equipment Inc. doing business as Heil of Texas was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
17. Authorize negotiation and execution of a multi-term cooperative contract with AutoZone Parts Inc. to provide automotive batteries and repair parts, for up to 55 months for a total contract amount not to exceed \$2,311,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Mobility.  
**The motion authorizing the negotiation and execution of a multi-term cooperative contract with AutoZone Parts Inc. was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
18. Authorize award of a contract with ALEON Properties, Inc. for graffiti removal services, for a term of five years in an amount not to exceed \$1,150,000. (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): Safety, Government that Works for All.

**The motion authorizing the award of a contract with ALEON Properties, Inc. was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

19. Authorize negotiation and execution of a contract with Brycer, LLC to provide web-based management of a fire safety system, for a term of five years for a total contract amount not to exceed \$1,928,000. (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): Safety, Government that Works for All.

**The motion authorizing the negotiation and execution of a contract with Brycer, LLC was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

20. Ratify an agreement with The Center at Parmer, LLC, (the 'Center'), for the City to occupy rooms at the property located at 13800 N. FM 620 Rd, Austin, Texas 78717 for emergency housing, isolation, and support services related to COVID-19 for a total amount not to exceed \$744,000. District(s) Affected: District 6. Strategic Outcome(s): Health and Environment.

**The motion to ratify an agreement with The Center at Parmer, LLC, (the 'Center'), was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

21. Authorize negotiation and execution of a contract with FII-National d/b/a UpTogether to administer a guaranteed income pilot program, for a term of one year in an amount not to exceed \$1,180,000. (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): Economic Opportunity and Affordability, Government that Works for All.

**A motion to approve negotiation and execution of a contract with FII-National doing business as UpTogether to administer a guaranteed income pilot program, for a term of one year in an amount not to exceed \$1,180,000 the with the following direction was made by Council Member Renteria, seconded by Council Member Kitchen.**

**Direction is as follows:**

**The City Manager is directed to implement a pilot guaranteed basic income program as proposed with the following additional direction:**

- **The final contract should: achieve a defined City public purpose, including but not limited to economic development under chapter 380 of the Local Government Code; ensure financial controls are in place for the city to achieve its public purpose; and ensure the city receives a benefit that is commensurate with the expenditure of public funds.**

- Selection criteria is to be made by the City of Austin including building upon existing processes for identifying households at risk of eviction and homelessness in collaboration with the Homeless Strategy Office;
- Pilot procedures and processes will leverage and build on learned best practices including from previous RISE direct assistance disbursements, for example, the use of partnerships with community organizations serving potential pilot participants;
- Pilot may include opportunities for individuals to connect with other participants and build connections to grow and strengthen their social networks, as well as connection through the pilot administrator and City of Austin to identify and provide access to additional services as necessary;
- Effectiveness of this program is to be determined using a third-party to monitor and review the results, including following a control cohort for comparison, and the study period should include a period of time after the proposed 12-month period of assistance;
- Success of this program will be defined in line with other guaranteed income programs across the country, as well as existing Strategic Direction 2023 metrics, including but not limited to changes in income, food security and economic mobility, increased housing stability outcomes, and improved financial capacity assessments; and
- The City Manager is directed to report back to Council upon completion of the 12 month period with the interim results and recommendations for further action.

A motion to amend the direction was accepted without objection as follows:

To add language to the seventh bullet to read:

- The City Manager is directed to report back to Council in 3 months, 6 months, and upon completion of the 12 month period with the interim results and recommendations for further action;

To add the following bullets.

- If the results of the pilot program suggest a more long-term program be implemented after the conclusion of the pilot program, an official City of Austin RFP solicitation process would be issued for all vendor selection related to the proposed future program;
- The City Manager is directed to bring back recommendations for future program scalability, identify future funding sources, and federal partnership contingencies.

The motion authorizing the negotiation and execution of a contract with FII-National doing business as UpTogether was approved with direction on Council Member Fuentes' motion, Council Member Renteria's second on an 8-1 vote. Mayor Pro Tem Alter voted nay. Council Members Kelly and Pool were absent.

Item 22 was pulled to be heard after Executive Session

23. Approve a settlement subject to court approval in Sherri Davis v. City of Austin, Cause No. C-1-CV-19-007 in the County Court at Law No. 2 for Travis County, Texas. Strategic Outcome(s): Government that Works for All.  
**The motion approving a settlement subject to court approval in Sherri Davis v. City of Austin Cause No. C-1-CV-19-007 in the amount of \$82,500 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
24. Authorize negotiation and execution of an interlocal agreement with Texas State University to provide research, consulting, and technical assistance on individual project work orders for up to ten years for a total amount not to exceed \$5,000,000. Strategic Outcome(s): Safety.  
**The motion authorizing the negotiation and execution of an interlocal agreement with Texas State University was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
25. Authorize negotiation and execution of Amendment No. 9 to an agreement with Creative Action to provide a youth arts and leadership program, to add one 15-month extension option using one-time funding in an amount not to exceed \$435,121 for the term beginning July 1, 2022, through September 30, 2023, for a revised total agreement amount not to exceed \$2,528,509. Strategic Outcome(s): Health and Environment.  
**The motion authorizing the negotiation and execution of Amendment No. 9 to an agreement with Creative Action was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
26. Authorize negotiation and execution of Amendment No. 8 to an agreement with Foundation Communities for services addressing academic performance and childhood obesity for low-income youth, to add one 15-month extension option in an amount not to exceed \$194,510 for the term beginning July 1, 2022, through September 30, 2023, for a revised total agreement amount not to exceed \$1,233,861. Strategic Outcome(s): Health and Environment.  
**The motion authorizing the negotiation and execution of Amendment No. 8 to an agreement with Foundation Communities was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
27. Authorize negotiation and execution of Amendment No. 3 to an agreement with Amala Foundation to provide mental health and wellness services for African American youth, to add two 12-month extension options each in an amount not to exceed \$72,500, for a revised total agreement amount not to exceed \$362,500. Strategic Outcome(s): Health and Environment.  
**The motion authorizing the negotiation and execution of Amendment No. 3 to an agreement with Amala Foundation was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
28. Authorize the negotiation and execution of an agreement with Financial Literacy Coalition of Central Texas d/b/a Financial Health Pathways to provide a financial health study of low-income

Central Texans and provide educational services related to finances, for the term beginning July 1, 2022 and ending June 30, 2023 in one-time funding in an amount not to exceed \$170,000. Strategic Outcome(s): Health and Environment; Economic Opportunity and Affordability.

**The motion authorizing the negotiation and execution of an agreement with Financial Literacy Coalition of Central Texas doing business as Financial Health Pathways was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

29. Authorize the negotiation and execution of an agreement with ZNET TEXAS L.L.P. to acquire a multiduct conduit system for the installation of communications infrastructure to support transportation and mobility operations in an amount not to exceed \$2,516,650. District(s) Affected: District 1, District 9. Strategic Outcome(s): Mobility, Government that Works for All, Economic Opportunity and Affordability, Health and Environment.

**The motion authorizing the negotiation and execution of an agreement with ZNET TEXAS L.L.P. was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

30. Approve an ordinance amending City Code Title 14 (Use of Streets and Public Property) to remove certain fee and inspection requirements. Strategic Outcome(s): Mobility, Government that Works for All.

**Ordinance No. 20220505-030 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

31. Approve a resolution authorizing negotiation and execution of an amendment to an Advance Funding Agreement with the Texas Department of Transportation for safety lighting projects on Cameron Road and Howard Lane, awarded through the federal Highway Safety Improvement Program, with an estimated City contribution of \$650,000 plus any cost overruns. District(s) Affected: District 1, District 4, District 7. Strategic Outcome(s): Mobility, Safety.

**Resolution No. 20220505-031 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

### ITEMS FROM COUNCIL

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

**The motion approving 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 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

### Nominations

Board/Nominee

Nominated by

**Austin Integrated Water Resource Planning Community Task Force**

Joshua Rolfe Council Member Fuentes

**Codes and Ordinances Joint Committee**

Greg Anderson Planning Commission

**Joint Sustainability Committee**

Melissa Rothrock Zero Waste Advisory Commission

**Joint Sustainability Committee (Alternate)**

Cathy Gattuso Zero Waste Advisory Commission

**Joint Inclusion Committee**

Idona Griffith Human Rights Commission

**Resource Management Commission**

Paul Robbins Council Member Kitchen

**Urban Transportation Commission**

Anali Martinez Gonzalez Council Member Fuentes

**Waivers**

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

Approve a waiver under Section 2-1-27(E) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for the following persons appointed to a City board if the person completes the training required by Section 2-1-23 on or before June 6, 2022:

Karen Reyes	Commission on Immigrant Affairs
Emily Bush	Lesbian Gay Bisexual Transgender and Queer Quality of Life Advisory Commission

**Item 33 was pulled for discussion**

- 34. Approve a resolution directing the City Manager to provide Council with a study related to paid parental leave policies for non-sworn City employees. Council Sponsors: Council Member Vanessa Fuentes, Council Member Kathie Tovo, Mayor Pro Tem Alison Alter, Council Member Ann Kitchen, Council Member Paige Ellis, Council Member Vela, Mayor Steve Adler.  
**Resolution No. 20220505-034 was approved with direction as follows on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

**Direction is as follows.**

**The City Manager is directed to return to Council within 90 days the phased approach costs of implementing paid parental leave of 12 weeks nu 2025 to increase paid parental leave for**

sworn employees from 6 weeks to 12 weeks and provide cost estimates associated with a phased approach.

35. Approve a resolution recognizing Saturday, May 14, 2022, and every second Saturday of May annually, as World Migratory Bird Day in Austin, and supporting the pursuit of local certification with the Bird City Texas Program. Council Sponsors: Mayor Pro Tem Alison Alter, Council Member Leslie Pool, Council Member Kathie Tovo, Council Member Vanessa Fuentes.  
**Resolution No. 20220505-035 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
36. Set a public hearing to consider an ordinance regarding floodplain variances for the construction of two new dwelling units at 5205 Chico Street, as requested by the owner of the property. The property is in the 100-year floodplain of Tannehill Branch. (Suggested date: May 19, 2022, at Austin City Hall, 301 W. Second Street, Austin, Texas). District(s) Affected: District 3. Strategic Outcome(s): Safety.  
**The public hearing was set for Thursday, May 19, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
37. Set a public hearing to consider an ordinance regarding floodplain variances for the construction of two new dwelling units at 5203 Chico Street as requested by the owner of the property. The property is in the 100-year floodplain of Tannehill Branch. (Suggested date: May 19, 2022, at Austin City Hall, 301 W. Second Street, Austin, Texas). District(s) Affected: District 3. Strategic Outcome(s): Safety.  
**The public hearing was set for Thursday, May 19, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
38. Set a public hearing related to an application by Creekside Senior Housing Limited Partnership, or an affiliated entity, for housing tax credits for a multi-family development to be financed through the private activity bond program and to be known as Arbors at Creekside, located at or near 1026 Clayton Lane, Austin, Texas 78723, within the City. (Suggested date: Thursday, May 19, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701). District(s) Affected: District 1. Strategic Outcome(s): Economic Opportunity and Affordability.  
**The public hearing was set for Thursday, May 19, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**
39. Set a public hearing related to an application by Bluffs at Nelms, LP, or an affiliated entity, for housing tax credits for a multi-family development to be financed through the private activity bond program and to be known as Bluffs at Nelms Senior Apartments, located at or near 1609 Nelms Dr, Austin, Texas 78744, within the City. (Suggested date: Thursday, May 19, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701). District(s) Affected: District 2. Strategic Outcome(s): Economic Opportunity and Affordability.

**The public hearing was set for Thursday, May 19, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

40. Set a public hearing to be conducted in accordance with Texas Parks and Wildlife Code Chapter 26 to consider a resolution authorizing a change in use of dedicated parkland, known as Govalle Neighborhood Park, for the Watershed Protection Department to use, maintain, and repair approximately 156 linear feet of 60-inch reinforced concrete storm pipe to be constructed by the developers of the Flats on Shady Lane multi-family development (SP-2020-0368C). (Suggested date and location: June 9, 2022, Austin City Hall, 301 W. Second Street, Austin, Texas). District(s) Affected: District 3. Strategic Outcome(s): Health and Environment, Government that Works for All.

**The public hearing was set for Thursday, June 9, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

41. Set a public hearing to consider a resolution to authorize the Downtown Austin Public Improvement District. (Suggested public hearing date: June 9, 2022 at Austin City Hall, 301 W. Second Street, Austin Texas). District(s) Affected: District 9. Strategic Outcome(s): Health and Environment, Safety, Mobility.

**The public hearing was set for Thursday, June 9, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

63. Adopt an ordinance amending Ordinance No. 20220421-055 ordering the May 7, 2022 special municipal election, to repeal and replace Exhibits F and H that list election day judges and early voting ballot board members; and declaring an emergency. Strategic Outcome(s): Government that Works for All.

**Ordinance No. 20220505-063 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

64. Approve payment of a judgment in City of Austin v. Keep Investment Group, LLC., Cause No. C-1-cv-18-006969 in County Court at Law No. 1 for Travis County, Texas, in an amount not to exceed \$613,000. Strategic Outcome(s): Government that Works for All.

**The motion approving payment of a judgement in City of Austin v. Keep Investment Group, LLC., Cause No. C-1-cv-18-006969 in the amount of \$82,500 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

65. Approve a resolution concerning binding interest arbitration in collective bargaining negotiations with the Austin Firefighters Association. Council Sponsors: Council Member Ann Kitchen, Mayor Steve Adler, Council Member Mackenzie Kelly, Council Member Natasha Harper-Madison, Council Member José 'Chito' Vela, Council Member Paige Ellis, Council Member Sabino "Pio" Renteria, Council Member Fuentes.

**Resolution No. 20220505-065 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

66. Approve an ordinance waiving City Code Sections 14-11-71, 14-11-72, and 14-11-73 for an application by the University of Texas to vacate approximately 449 square feet of public right-of-way generally bounded by Comal Street, 21st Street and Leona Streets; and declaring an emergency; and directing the City Manager to place the vacation application on the May 19, 2022 City Council agenda. Council Sponsors: Council Member Natasha Harper-Madison, Mayor Steve Adler, Council Member Kathie Tovo, Council Member Sabino 'Pio' Renteria, Council Member José 'Chito' Vela.

**Ordinance No. 20220505-066 was approved on consent on Council Member Fuentes' motion, Council Member Renteria's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

### COUNCIL DISCUSSION

67. Discussion relating to increasing housing capacity on transit corridors.  
**Withdrawn**
42. Approve a resolution appointing Kavita Gupta and John Umphress as commissioners of the Municipal Civil Service Commission for a three-year term beginning May 9, 2022 and designating Andy Mormon as the chair of the Municipal Civil Service Commission for a one-year term. Council Sponsors: Audit and Finance Committee.  
**Resolution No. 20220505-042 was approved on consent on Mayor Pro Tem Alter's motion, Council Member Ellis' second on a 9-0 vote. Council Members Kelly and Pool absent.**

### PUBLIC COMMUNICATION

Richard Viktorin - Circuit Events Local Organizing Committee, Texas Major Events Reimbursement Fund, Circuit of the Americas, Formula 1. **Present**

Zion Jefimoff - Homeless solutions **Present**

Derouen Roy - Affordable housing in the City of Austin for Felons. Input on the Homeless crisis and provide a resolution/solution. **Not Present**

Paul Robbins - City and budget issues. **Present**

Paty Sesma - Austin Urban Technology Movement (AUTMHQ) is following up on the budget amendment request to expand workforce development and job placement in Austin for people that are low-income, underserved, and experiencing homelessness. AUTMHQ urges City Council to financially and strategically support AUTMHQ as it upskills our most vulnerable communities to enter the technology industry and provides digital literacy training, both of which will help eliminate the technical skills gap in tech and close the digital divide. These programs would radically

change the lives of People Experiencing Homelessness (PEH), low-income, and underserved communities by providing a pathway forward for them to become self-sustaining and support the economic growth of Austin. AUTMHQ will also be discussing our 2021 Annual Impact Report. **Present**

Rey Campos - Austin Urban Technology Movement (AUTMHQ) is following up to discuss the budget amendment request to expand workforce development and job placement in Austin for people that are low-income, underserved, and experiencing homelessness. AUTMHQ urges City Council to financially and strategically support AUTMHQ as it upskills our most vulnerable communities to enter the technology industry and provides digital literacy training, both of which will help eliminate the technical skills gap in tech and close the digital divide. These programs would radically change the lives of People Experiencing Homelessness (PEH), low-income, and underserved communities by providing a pathway forward for them to become self-sustaining and support the economic growth of Austin. **Not Present**

Stacie Williams – NCCD **Not Present**

Klaus Schwab Jr. -Great Reset of World Economic forum very soon you will own Nothing. Great For us. Also we are making meetings in Davos May 22nd-26<sup>th</sup>  
**Present**

### **LIVE MUSIC**

uLOVEi

**Mayor Adler recessed the meeting to go into Executive Session at 12:32 p.m. without objection.**

### **EXECUTIVE SESSION**

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

46. Discuss real estate matters related to the purchase, exchange, lease or value of an interest in real property and improvements related to the redevelopment of the HealthSouth property located at 1215 Red River Street and 606 East 12th Street. (Real property -Section 551.072 of the Government Code).  
**Conducted**

**Executive Session ended and the Mayor reconvened the meeting at 2:53 p.m.**

**ZONING AND NEIGHBORHOOD PLAN AMENDMENTS**

47. C14-2021-0091- The Rhett - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1000 East Yager Lane (Walnut Creek Watershed). Applicant Request: To rezone from neighborhood commercial-conditional overlay (LR-CO) combining district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To deny the rezoning request. Owner/Applicant: Zydeco Development Corporation. Agent: Thrower Design, LLC (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 1.

**This item was postponed indefinitely by the applicant on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

48. C14-2021-0155 - Lyndhurst Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning and rezoning property locally known as 13424 Lyndhurst Street and 13443 North FM 620 Road North Bound (Lake Creek Watershed). Applicant Request: To rezone and zone from community commercial-conditional overlay (GR-CO) combining district zoning and interim-single family residence-standard lot (I-SF-2) district zoning to general commercial-mixed use (CS-MU) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner/Applicant: Naiser Holdings, LLC. Agent: Thrower Design, LLC (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

**This item was postponed to May 19, 2022 by the applicant on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

49. C14-2020-0080 - RBI Austin Tract 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7401-½ Loyola Lane (Walnut Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial (GR) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, with conditions. Owner/Applicant: Home Plate Properties (Matthew Price). Agent: Drenner Group, PC (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220505-049 for community commercial (GR) district zoning, with conditions was approved on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

50. C14-2020-0079 - RBI Austin Tract 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7401-½ Loyola Lane (Walnut Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot (SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation:

To grant community commercial (GR) district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, with conditions. Owner/Applicant: Home Plate Properties (Matthew Price). Agent: Drenner Group, PC (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220505-050 for community commercial (GR) district zoning, with conditions was approved on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

**Item 51 was pulled for discussion**

52. C14-2022-0012 - 7001 Circle S Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7001 Circle S Road (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: Paul Long. Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220505-052 for commercial-liquor sales (CS-1) district zoning for Tract 1 and general commercial services (CS) district zoning for Tract 2 family residence (SF-3) district zoning was approved on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

53. C14-2021-0103 - Marielle 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 8600 Black Oak Street (Lake Creek Watershed). Applicant Request: To zone from interim-rural residence (I-RR) district zoning to multifamily residence-low density (MF-2) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant multifamily residence-low density-conditional overlay (MF-2-CO) combining district zoning. Owner/Applicant: The Warren Edward Kodowsky 1997 Trust. Agent: Mathias Company (Richard Mathias). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

**The public hearing was conducted and a motion to approve Ordinance No. 20220505-053 for multifamily residence-low density-conditional overlay (MF-2-CO) combining district zoning was approved on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

54. C14-2021-0159 - Vaught Ranch Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 6529 Vaught Ranch Road (West Bull Creek Watershed). Applicant's Request: To zone from interim rural residence (I-RR) district zoning to general office-mixed use (GO-MU) combining district zoning. Staff Recommendation: To grant general office-mixed use (GO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning, as amended. Owner/Applicant:

Michael Hart. Agent: Dunaway Associates (Meg Greenfield). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 10.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220505-054 for general office-mixed use (GO-MU) combining district zoning was approved on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

55. NPA-2021-0016.01.SH - Libertad- Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 900 Gardner Road (Boggy Creek Watershed) from Civic to Mixed Use land use. Staff and Planning Commission recommendation: To grant Mixed Use land use. Owner/Applicant: Austin Housing and Finance Corp. (Rosie Truelove) Agent: Civiltude, LLC (Conor Kenny). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220505-055 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

56. C14-2021-0020.SH - Libertad - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 900 Gardner Road (Boggy Creek Watershed). Applicant's Request: To rezone from public-neighborhood plan (P-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Owner/Applicant: Austin Housing Finance Corporation (Rosie Truelove). Agent: Civiltude LLC (Conor Kenny). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220505-056 for community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning was approved on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

57. NPA-2019-0022.01- 200 Academy - Approve second and third readings of 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 (East Bouldin Creek Watershed) from Mixed Use/Office to Mixed Use land use on Tract 1. On January 27, 2022, First Reading approved for Mixed Use land use on Tract 1. Vote: 11-0. 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) Affected: District 9.

**Ordinance No. 20220505-057 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on second reading only on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

58. C14-2020-0147 - 200 Academy - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning 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. On January 27, 2022 First Reading was approved 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. Vote: 11-0. Owner: Spearhead Academy LTD (Chris Wallin). Applicant: Weiss Architecture Inc (Richard Weiss). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 9.

**Ordinance No. 20220505-058 for 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 was approved on second reading only on Council Member Renteria’s motion, Mayor Pro Tem Alter’s second on a 9-0 vote. Council Members Kelly and Pool were absent.**

**Statement read into record for the applicant and the neighborhood is as follows: “Both the applicant and the neighbors, are in an agreement that will allow the case to move forward on second reading. The parties agree to move forward on second reading with what the council approved on first reading, which is that they feel does need some work regarding what is written in the ordinance. Specifically, two points.**

**1. The parties acknowledge further discussion and investigation will occur before third reading in connection with the provision which restricts the building height within a certain distance of SF-3 property. On first reading, the council approved 75 feet. The applicant would like 65 feet. The parties involved would like some more time to discuss this point.**

**2. The parties are working on the venue’s most appropriate capacity and putting it into a conditional overlay and would like to return on the June 9, 2022 Council meeting for third reading.”**

59. NPA-2020-0005.01 - Montopolis Acres - Conduct a public hearing and approve an ordinance amending Ordinance No. 010927-05 the Montopolis 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 1013 and 1017 Montopolis Drive (Country Club East/Carson Creek Watershed) from Single Family to Multifamily land use. Staff and Planning Commission Recommendation: To grant Multifamily land use. Owner/Applicant: Montopolis Acres, LP. Agent: Thrower Design (Ron Thrower and Victoria Haase). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220505-059 to change the land use designation on the future land use map (FLUM) to Multifamily land use was approved on all three readings on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

60. C14-2020-0029 - Montopolis Acres Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1013 and 1017 Montopolis Drive (Carson Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning, as amended. Staff recommendation: To grant multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. Owner/Applicant: Montopolis Acres LP. Agent: Thrower Design (A. Ron Thrower & Victoria Haase). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20220505-060 for multifamily residence moderate-high-density-neighborhood plan (MF-4-NP) combining district zoning, as amended was approved on Council Member Renteria's motion, Mayor Pro Tem Alter's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

61. NPA-2020-0021.02 - 1100 Manlove Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055, the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1100 Manlove Street (Harpers Branch Watershed) from Single Family to Neighborhood Mixed Use land use. Staff Recommendation: To deny Neighborhood Mixed Use land use. Planning Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: Shuler Family Trust of 1998 (John Schuler). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 9.

**This item was postponed to May 19, 2022 by the applicant and the neighborhood on Council Member Renteria's motion, Mayor Pro Tem Alter's second on an 8-0 vote. Council Member Tovo recused. Council Members Kelly and Pool were absent.**

62. C14-2020-0081 - 1100 Manlove Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1100 Manlove Street (Harper's Branch Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood office-mixed use- neighborhood plan (NO-MU-NP) combining district zoning. Staff Recommendation: To deny neighborhood office-

mixed use-neighborhood plan (NO-MU-NP) combining district zoning. Planning Commission Recommendation: To be forwarded to Council without a recommendation due to lack of an affirmative vote. Owner: Schuler Family Trust of 1998 (John Schuler). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 9.

**This item was postponed to May 19, 2022 by the applicant and the neighborhood on Council Member Renteria's motion, Mayor Pro Tem Alter's second on an 8-0 vote. Council Member Tovo recused. Council Members Kelly and Pool were absent.**

### DISCUSSION ITEMS

51. C14-2021-0187 - Menchaca Road - Calvo - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 11530 Menchaca Road (Slaughter Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning to commercial-liquor sales (CS-1) district zoning for Tract 1 and general commercial services (CS) district zoning for Tract 2. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning for Tract 1 and general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To forward to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: Manchaca Holdings, LLC (Antonio Calvo). Agent: Land Answers, Inc. (Jim Wittliff). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.

**The public hearing was conducted and a motion to approve staff's recommendation for commercial-liquor sales (CS-1-CO) combining district zoning for Tract 1 and general commercial services-conditional overlay (CS-CO) combining district zoning for Tract 2 on first reading only was approved on Council Member Kitchen's motion, Council Member Ellis' second on an 8-0 vote. Council Member Tovo was off the dais. Council Members Kelly and Pool were absent.**

13. Authorize award of a contract with Traffic Logix Corporation to provide dynamic speed display devices, for a term of five years in an amount not to exceed \$616,605. (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.

**The motion authorizing the award of a contract with Traffic Logix Corporation was approved on Council Member Fuentes' motion, Mayor Pro Tem Alter's second on an 8-0 vote. Council Member Tovo was off the dais. Council Members Kelly and Pool were absent.**

**Direction was given to staff to increase the number of devices purchased for this calendar year, if possible, to ensure safer streets in a timelier manner and provide a status update to Council on findings.**

33. Approve a resolution adopting amendments to the articles of incorporation and certificate of formation of the Austin Transit Partnership to make changes relating to the directors, membership, residency requirements as needed for the board members, and updating the documents as directed by Council. Council Sponsors: Mayor Steve Adler, Council Member

Sabino 'Pio' Renteria, Council Member Ann Kitchen, Council Member Paige Ellis, Council Member José 'Chito' Vela.

**A motion to approve the resolution with the following direction was made by Council Member Renteria, seconded by Council Member Kitchen.**

**Direction was given to staff as follows:**

**The City Manager is directed to consult with Capital Metro, Austin Transit Partnership, the Community Advisory Committee, and other community stakeholders as appropriate to evaluate the potential expansion of the ATP Board of Directors to up to nine voting members. The purpose is to transparently consider the ATP board structure to best achieve the purpose of building out and implementing a transformative, equitable Project Connect in collaboration with the City of Austin, Capital Metro, ATP, CAC and the community. The City Manager is directed to bring a consensus recommendation back to the City Council for possible action.**

**A motion was made by Mayor Adler to divide the question between the direction and the resolution.**

**A motion to approve the direction was approved on a 7-0 vote. Council Member Ellis abstained. Council Member Tovo was off the dais. Council Members Kelly and Pool were absent.**

**A motion to approve the resolution was approved on an 8-0 vote. Council Member Tovo was off the dais. Council Members Kelly and Pool were absent.**

**Resolution No. 20220505-033 was approved with direction on Council Member Renteria's motion, Council Member Kitchens' second on an 8-0 vote. Council Member Tovo was off the dais. Council Members Kelly and Pool were absent.**

**Mayor Adler recessed the meeting to go into Executive Session at 4:06 p.m. without objection.**

### **EXECUTIVE SESSION**

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

43. 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). **Conducted**
44. Discuss legal issues relating to Data Foundry, Inc., v. City of Austin, Cause No. D-1-GN-17-000937, in the 419th Judicial District Court of Travis County, Texas. (Private consultation with legal counsel - Section 551.071 of the Government Code). **Conducted**

45. Discuss legal issues related to SJ Louis Construction, LLC. V. City of Austin, Cause No. D-1-GN-18-00121 in the 459th Judicial District for Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code). **Conducted**
68. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code). **Conducted**

**Executive Session ended and the Mayor reconvened the meeting at 6:28 p.m.**

22. Approve a settlement subject to court approval in Meredith Drake v. City of Austin et al, Cause No. 1:20-cv-00956-RP, in the United States District Court for the Western District of Texas and direct the City Manager to return to Council the necessary documents to finance the court approved settlement. Strategic Outcome(s): Government that Works for All.  
**The motion approving a settlement subject to court approval in Meredith Drake v. City of Austin et al, Cause No. 1:20-cv-00956-RP in the amount of \$850,000 was approved on Council Member Harper-Madison's motion, Council Member Vela's second on a 9-0 vote. Council Members Kelly and Pool were absent.**

**Mayor Adler adjourned the meeting at 6:30 p.m. without objection.**

**PROCLAMATIONS**

Proclamation – Teacher Appreciation Week – To be presented by Mayor Pro Tem Alter

Proclamation – Air Quality Awareness Week – To be presented by Council Member Ellis

Proclamation – Dr. Emma Lou Linn Day – To be presented by Council Member Fuentes and to be accepted by Dr. Emma Lou Linn

Proclamation – Operation Enduring Respect Day – To be presented by Council Member Harper-Madison and to be accepted by Kevin Phelps, founder and president of Operation Enduring Respect

Proclamation – Queer Visibility Day –To be presented by Council Member Vela

**The minutes were approved on this the 19<sup>th</sup> day of May 2022 on Council Member Harper-Madison's motion, Council Member Ellis's second on a 11-0 vote.**