

**RESOLUTION NO.**

**WHEREAS**, 4800 Bolm Road, Austin, Texas 78702 (Property) is a City-owned property that was formerly owned by BFI Waste Systems of North America, Inc. (BFI), successor by merger to ACCO Waste Paper, Inc. (ACCO), which operated a recycling center on the Property; and

**WHEREAS**, on May 13, 1999, the City Council voted unanimously to initiate condemnation proceedings against BFI for the Property; and

**WHEREAS**, the condemnation and City purchase of the Property, as well as the subsequent required cleanup, came as a result of a concerted effort on behalf of nearby residents and community advocates to combat the environmental racism that was propagated by the recycling center's presence amidst an East Austin residential neighborhood; and

**WHEREAS**, the 1928 City of Austin Master Plan and the corresponding 1931 zoning map disproportionately placed industrial zoning near homes occupied by minorities in East Austin; and

**WHEREAS**, the City has maintained ownership of the Property for over two decades; and

**WHEREAS**, Austin is facing a housing affordability crisis as the housing market reaches record high rents and home prices; and

**WHEREAS**, the Property presents an exceptional opportunity to address the City's affordable housing needs; and

**WHEREAS**, under City Council direction to create affordable housing and commercial opportunities on City-owned land, the Economic Development

Department began evaluating the Property as a potential redevelopment opportunity for residential and commercial/retail uses instead of its current industrial use; and

**WHEREAS**, updated environmental reports from 2021 revealed groundwater contamination on the Property; therefore, in partnership with Austin Resource Recovery (ARR), the City began a full investigation and cleanup of the Property; and

**WHEREAS**, contractors were secured to install monitoring wells and take the steps required to obtain a Certificate of Completion (COC) under the Voluntary Cleanup Program of the Texas Commission on Environmental Quality (TCEQ) for meeting residential use standards, with funding being available for these steps through ARR's Brownfields grant program; and

**WHEREAS**, the City has submitted an application for obtaining a COC to the TCEQ and a response is not expected before Fall 2023; and

**WHEREAS**, upon review of the City's application, the TCEQ may request additional work to demonstrate the site has achieved clearance for residential standards; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Manager is directed to prioritize the development of deeply affordable housing over all other uses at the Property in coordination with the City's Economic Development and Housing and Planning Departments, ARR, the Austin Housing Finance Corporation, and other departments as determined by the City Manager. As a general target, the project should seek to maximize the number of units available at 60 percent of the median family income or below, and include

a substantial number of two- and three-bedroom units relative to the total  
residential units.

ADOPTED: \_\_\_\_\_, 2023 ATTEST: \_\_\_\_\_

Myrna Rios  
City Clerk

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