



**Thursday, October 13, 2022**

The City Council will convene at 10:00 AM on  
Thursday, October 13, 2022 at via videoconference

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 José "Chito" Vela, 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/departments/city-council/council/council\\_meeting\\_info\\_center.htm](http://austintexas.gov/departments/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 budget work session of August 9, 2022, budget work session of August 11, 2022, work session of August 30, 2022, regular meeting of September 1, 2022, work session of September 13, 2022, regular meeting of September 15, 2022, work session of September 27, 2022, and regular meeting of September 29, 2022.

#### **Austin Water**

2. Approve an ordinance authorizing the issuance of City of Austin, Texas, Water and Wastewater System Revenue Bonds, Series 2022A, in the par amount of \$18,000,000 and approve related documents.  
Strategic Outcome(s): Government that Works for All.
3. Approve an ordinance authorizing the issuance of City of Austin, Texas, Water and Wastewater System Revenue Bonds, Series 2022C in the par amount of \$8,300,000 and approve related documents.  
Strategic Outcome(s): Government that Works for All.
4. Approve an ordinance authorizing the issuance of City of Austin, Texas Water and Wastewater System Revenue Bonds, Series 2022B, in the par amount of \$24,630,000 and approving related documents.  
Strategic Outcome(s): Government that Works for All.
5. Approve a resolution declaring the City of Austin's official intent to reimburse itself from the proceeds of tax-exempt obligations to be issued through October 2023 for acquisition and construction costs in an aggregate maximum principal amount of \$195,000,000 related to Fiscal Year 2022-2023 Austin Water Capital Improvement Projects.  
Strategic Outcome(s): Safety, Health and Environment, Government that Works for All.

#### **Economic Development Department**

6. Authorize negotiation and execution of a U.S. Department of Housing and Urban Development

Section 108 Family Business Loan with TES Inc. for commercial build out and operation of two commercial lease spaces at Loyola Lofts, located at 6400 Loyola Lane, Austin, Texas 78724 (Colony Park) in an amount not to exceed \$273,342.00.

**Strategic Outcome(s):** Economic Opportunity and Affordability.

**District(s):** District 1

## **Financial Services**

7. Approve a resolution adopting the City of Austin Fiscal Year 2022-2023 Investment Policy.

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

## **Financial Services- Contracts**

8. Ratify amendments to contracts for polyvinyl chloride conduit and accessories with Texas Electric Cooperatives, Techline Inc., and Wesco Distribution, Inc. d/b/a Hi-Line Utility Supply Co, LLC a/k/a Power Supply in the amount of \$230,000, for total revised contract amounts not to exceed \$1,058,663, divided among the contractors.

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

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

9. Authorize amendments to contracts for polyvinyl chloride conduit and accessories with Texas Electric Cooperatives, Techline Inc., and Wesco Distribution, Inc. d/b/a Hi-Line Utility Supply Co, LLC a/k/a Power Supply to increase the amount by \$370,000, for revised total contract amounts not to exceed \$1,428,663, divided among the contractors.

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

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

10. Ratify a contract with Barrier Fence, LLC d/b/a Barrier Fence Systems LLC to provide high security fencing services in the amount of \$707,250.

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

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

11. Authorize negotiation and execution of a contract with SUBNET Solutions Inc. for software, professional services, training, and enhancements to the current suite of solutions to advance grid modernization, for a term of five years in an amount not to exceed \$3,870,000.

(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.

12. Authorize award and execution of a construction contract with Rodriguez Barr Inc. d/b/a The Barr Company, AIA, for the Highland and Brownie Neighborhood Parks project in the amount of \$3,671,457 plus a \$367,146 contingency, for a total contract amount not to exceed \$4,038,603. [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 5.55% MBE and 4.07% WBE participation].

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

**District(s):** District 4

13. Authorize award of a contract with Genserve LLC d/b/a LJ Power Inc. for generator preventative maintenance, repair, and replacement, for a term of five years in an amount not to exceed \$30,000,000.

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

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

14. Authorize award of a contract with Southern Tire Mart LLC to provide tire retread and repair services, for a term of five years in an amount not to exceed \$2,486,584.

(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.

15. Authorize negotiation and execution of multiple cooperative contracts for electrical supplies, materials, and equipment with Crawford Electric Supply Company, Inc.; Dealers Electrical Supply; Elliott Electric Supply Inc.; Facility Solutions Group Inc.; Hamilton Electric Works Inc.; Fairway Supply Inc.; and Global Equipment Company, Inc. d/b/a Global Industrial, each for a term of 25 months in an amount not to exceed \$5,410,000 divided among the contractors.

(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):** Government that Works for All.

16. Authorize amendments to contracts with American Facility Services Inc. and BHW Operating Company LP for continued custodial services, to increase the amounts by \$1,500,000, for revised total contract amounts not to exceed \$6,447,000 divided between the contractors.

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

For the services required for this contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

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

17. Authorize award of a contract with CVI Development, LLC to provide Austin and Lueders limestone boulders for a term of five years, in the amount not to exceed \$4,000,000.

(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 required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

**Strategic Outcome(s):** Health and Environment.

18. Authorize negotiation and execution of multiple cooperative contracts with various contractors for parks, playgrounds, and pool equipment and repair, each for a term of 44 months in an amount not to exceed \$63,700,000, divided among the contractors.

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

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

19. Authorize award of two contracts with Industrial Disposal Supply Co, LLC d/b/a Industrial Disposal Supply Co. and Patterson Equipment Company to provide original equipment manufacturer parts, repair services, and preventative maintenance for vacuum trucks and equipment, each for a term of five years in an amount not to exceed \$533,500 divided between the contractors.

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

**Strategic Outcome(s):** Mobility.

20. Authorize award of two contracts with Vulcan Construction Materials LLC and Aggregate Logistics LLC to provide trap rock, each for a term of five years in an amount not to exceed \$3,450,000, 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):** Mobility.

21. Authorize negotiation and execution of a contract with ESO Solutions, Inc. to provide electronic health record and reporting software, for a term of five years in an amount not to exceed \$2,450,000.

(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, Health and Environment, Safety.

22. Authorize negotiation and execution of multiple contracts with Austin Regional Manufacturers Association and Austin Urban Technology Movement to provide workforce development services, each for a term of two years in an amount not to exceed \$993,420 divided between the contractors.

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

**Strategic Outcome(s):** Economic Affordability and Opportunity.

## **Fire**

23. Authorize negotiation and execution of an interlocal agreement with the University of Texas at Austin for the Austin Fire Department to provide assistance in the planning and execution of fire safety at sporting and other special events, in an amount not to exceed \$150,000.

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

## **Housing and Planning**

24. Authorize negotiation and execution of a one-year contract with the Austin Tenants Council to fund and administer the Tenants' Rights Assistance Program for community education and information about tenant protection laws in an amount not to exceed \$298,938.

**Strategic Outcome(s):** Economic Opportunity and Affordability.

## **Law**

25. Authorize negotiation and execution of an amendment to the legal services agreement with Butler Snow, LLP for representation related to *Ida Nobles et al v. Richard Egal et al*, Cause No. 1:19-cv-00389 in the United States District Court for the Western District of Texas in the amount of \$170,000 for a total contract amount not to exceed \$180,000.

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

## **Management Services**

26. Approve a resolution appointing the nominee recommended by the Nominating Committee for the position of Community Expert Director representing Community Planning or Sustainability to the Austin Transit Partnership Board of Directors to serve through January 2025.

**Strategic Outcome(s):** Mobility.

27. Approve an ordinance amending City Code Chapter 4-14 related to tenant organizing and creating an offense and penalty.

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

## **Police**

28. Approve a resolution authorizing the extension of line of duty illness leave of absence for Austin Police Department Officer Elijah Neely through February 23, 2023.  
Strategic Outcome(s): Safety.

## Public Health

29. Approve an ordinance amending City Code Chapter 10-3 Food and Food Handlers, relating to permits for farmers market vendors.  
Strategic Outcome(s): Health and Environment.
30. Approve an ordinance amending City Code Section 3-2-16 Enclosures for Fowl to provide additional setback and enclosure requirements.  
Strategic Outcome(s): Health and Environment.
31. Authorize negotiation and execution of two agreements with social service agencies to provide workforce development services for an initial 12-month term beginning October 1, 2022 in a combined amount not to exceed \$1,138,068, with four 12-month extension options in a combined amount not to exceed \$4,552,272, for a total agreement amount not to exceed \$5,690,340 divided among the agencies.  
Strategic Outcome(s): Economic Opportunity and Affordability.
32. Authorize execution of an agreement with Sunrise Community Church to provide street outreach services for an initial 12-month term beginning October 1, 2022 with four 12-month extension options, each in an amount not to exceed \$150,000, for a total agreement amount not to exceed \$750,000.  
Strategic Outcome(s): Health and Environment.
33. Authorize execution of agreements with four social service agencies to provide street outreach services for an initial 12-month term beginning October 1, 2022, in a combined amount not to exceed \$2,007,832, with one 12-month extension option in a combined amount not to exceed \$2,007,832, for a total agreement amount not to exceed \$4,015,664 divided among the agencies.  
Strategic Outcome(s): Health and Environment.

## Transportation

34. Approve a resolution authorizing negotiation and execution of a Local On-System Improvement Project Agreement with the Texas Department of Transportation in an estimated amount of \$425,000, plus any cost overruns, for the implementation of safety and mobility improvements at and around the intersection of RM 2222 (West Koenig Lane) and North Lamar Boulevard.  
Strategic Outcome(s): Mobility, Safety.  
District(s): District 4; District 7
35. Authorize payment of the City's membership fees for Fiscal Year 2022-2023 to the Greater Austin-San Antonio Corridor Council, for the promotion of the region's economic development, in an amount not to exceed \$100,000.  
Strategic Outcome(s): Mobility.

## **Watershed Protection Department**

36. Authorize the negotiation and execution of a community facilities agreement with Austin Affordable Housing Corporation, a Texas nonprofit corporation, for public stormdrain infrastructure improvements in an amount not to exceed \$4,000,000.

**Strategic Outcome(s):** Safety; Health and Environment; Government that Works for All.

### **Item(s) from Council**

37. 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.

38. Approve the waiver or reimbursement of certain fees for the Hunter 5K Halloween Fun Run, beginning at Bear Creek Elementary School on October 29, 2022 at 9:00 AM.

**Sponsors:** Council Member Paige Ellis, Mayor Steve Adler, Council Member Ann Kitchen, Council Member Mackenzie Kelly, and Council Member Vanessa Fuentes

39. Approve a resolution directing the City Manager to draft an ordinance that authorizes the property located at 2400 South Congress Avenue to obtain a Type 2 Non-Peak Hour Permit for Concrete Installation.

**Sponsors:** Council Member Sabino "Pio" Renteria, Council Member José 'Chito' Vela, Council Member Natasha Harper-Madison, and Mayor Steve Adler

40. Approve a resolution relating to Council policies and directives to the City Manager for City-owned real estate, including requirements for construction projects, living wage, minority and women-owned business requirements and other Council priorities related to City-owned real estate and City-owned parking facilities; and recommendations for future use of same.

**Sponsors:** Council Member Kathie Tovo, Mayor Pro Tem Alison Alter, Council Member Vanessa Fuentes, and Council Member Ann Kitchen

### **Item(s) to Set Public Hearing(s)**

41. Set a public hearing to consider an ordinance relating to the full-purpose annexation of approximately 877 acres of City-owned property located in Travis County west of the intersection of Ranch to Market Road 2222 and City Park Road and approving a written plan for the provision of municipal services. Case number: C7a-2022-0008. The area is in Austin limited purpose jurisdiction as well as extraterritorial jurisdiction adjacent to Council District 10. (Suggested date: October 27, 2022 at Austin City Hall, 301 West Second Street, Austin, Texas).

**Strategic Outcome(s):** Government that Works for all.

42. Set a public hearing to consider an ordinance relating to the full-purpose annexation of approximately 508 acres of City-owned property located in Travis County northwest of the intersection of Yaupon Drive and Spicewood Springs Road and approving a written plan for the provision of municipal services. Case number: C7a-2022-0007. The area is in Austin limited purpose jurisdiction as well as extraterritorial jurisdiction adjacent to Council Districts 6 and 10. (Suggested date: October 27, 2022 at Austin City Hall, 301 West Second Street, Austin, Texas).

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



43. Set a public hearing to consider an ordinance relating to the full-purpose annexation of approximately 658 acres of City-owned property located in Travis County south of Slaughter Lane, west of Escarpment Boulevard, and north of La Crosse Avenue and approving a written plan for the provision of municipal services. Case number: C7a-2022-0009. The area is in Austin extraterritorial jurisdiction adjacent to Council District 8. (Suggested date: October 27, 2022 at Austin City Hall, 301 West Second Street, Austin, Texas).

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

44. Set a public hearing to consider an ordinance relating to the full-purpose annexation of approximately 3,067 acres of City-owned property located in Hays County and Travis County southwest of State Highway 45 and near the intersection of Spanish Oak Trail and Live Oak Drive and approving a written plan for the provision of municipal services. Case number: C7a-2022-0010. The area is in Austin limited purpose jurisdiction as well as extraterritorial jurisdiction adjacent to Council District 8. (Suggested date: October 27, 2022 at Austin City Hall, 301 West Second Street, Austin, Texas).

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

## Non-Consent

### 10:30 AM - Austin Housing and Finance Corporation Meeting

45. 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 <https://www.austintexas.gov/department/city-council/2022/20221013-ahfc.htm>).

## Public Hearings and Possible Actions

46. Conduct a public hearing related to an application by Live Make Housing Partners 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 Live Make Apartments, located at or near 1127 Tillery Street, Austin, Texas 78702, within the City, and consider a resolution related to the proposed development, the application, and the allocation of housing tax credits and private activity bonds.

District(s): District 3

47. Conduct a public hearing and consider an ordinance that grants a request to provide a historic preservation community benefit to increase the maximum floor-to-area ratio (FAR) under the Downtown Density Bonus Program for the project at 307 and 319 E. Second Street, Austin, Texas 78701.

District(s): District 9

48. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to environmental, drainage, landscape, and site plan requirements.
49. Conduct a public hearing and consider an ordinance amending Ordinance No. 20220817-005 to set the Fiscal Year 2022-23 Power Supply Adjustments, Community Benefit Charges, and

Regulatory Charges for Austin Energy, and make corresponding amendments to the Austin Energy Fiscal Year 2022-23 operating budget in Ordinance No. 20220817-004.

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

### **12:00 PM - Public Communication: General**

Robert Battaile - Repairs at Triangle Park Bocce Courts to enable robust league play. We need to establish a pilot program to teach Austin what they're missing!

Don Williamson - 85th Anniversary for Stacy Pool

Maria Johnson - Bocce Courts :)

Barbara LaBruzza - Bocce Ball

Katherine Lindley - Bocce Ball. Please support Bocce Ball in Austin Parks. It is healthy recreation for all ages.

Debbie Romero - Go Go Mobile Home Park 4811 S Congress Austin, TX 78745.

Ethan Osborne - Fireworks show that is occurring on Halloween. Informing and inviting the city council to the event

Daniel McCarthy - Police accountability. Follow up to a question I had asked Manley at TribFest over the weekend regarding qualified immunity.

sadie pack - City of Austin Water contract

Frances Acuna - Thankfulness and Accountability

### **12:00 PM - Live Music**

Flora & Fawna

### **Executive Session**

50. Discuss legal issues and information related to cybersecurity matters, including assessments and deployments of personnel and devices, audits, network security information and information technology resources, and critical infrastructure (Deliberation regarding security devices or security audits - Sections 551.076 and 551.089 of the Government Code and private consultation with legal counsel - Section 551.071 of the Government Code).
51. Discuss legal issues related to Jose Herrera v. City of Austin et al, Cause No. 1:20-cv-01134-RP in the United States District Court for the Western District of Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

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

52. C14H-2022-0098 - 1605 Leona Street - Donley-Goode-Walton House/Walton's Beauty Shop and Salon - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1605 Leona Street (Boggy Creek Watershed). Applicant's request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. First Reading approved on September 15, 2022. Vote: 10-0, Mayor Pro Tem Alter was off the dais. Staff, Planning Commission, and Historic Landmark Commission Recommendations: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Owner: Helen Shoulds. Agent: Nneka Shoulds. City Staff: Kalan Contreras, Housing & Planning Department, 512-974-2727.

District(s): District 1

53. C814-2009-0139.03 - Bull Creek PUD Amendment #3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5305, 5400, 5404, 5408, 5505 Paradox Cove; 4909, 4915-1/2, 4929 FM 2222 Road (Bull Creek Watershed; Lake Austin Watershed). Applicant's Request: To rezone from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change conditions 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 Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning, to change conditions of zoning. Applicant: David G. Booth, Trustee for the David Booth Revocable Trust. Agent: Armbrust & Brown, PLLC (David Armbrust). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 10

54. C14-2022-0039 - Peaceful Hill Residential - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7901 Peaceful Hill Lane (South Boggy Creek Watershed; Onion Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on October 4, 2022. Owner/Applicant: Jeffrey Fluitt. Agent: Thrower Design (Victoria Haase). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 2

55. C14-2022-0080 - 607 West 14th Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 607 West 14th Street (Shoal Creek Watershed). Applicant's Request: To rezone from general office (GO) district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Owner/Applicant: HKKN Holdings, LLC (Joe Newberry). Agent: Metcalfe, Wolff, Stuart & Williams LLP (Michele R. Lynch). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 9

56. C14-2022-0096 - Magellan International School - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7501 North Capital

of Texas Highway Northbound (excluding Building A) (Bull Creek Watershed). Applicant's Request: To rezone from limited office-conditional overlay (LO-CO) combining district zoning to general office-conditional overlay (GO-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning. Owner/Applicant: Reserve at Bull Creek, LLC (Federico Wilensk). Agent: Metcalfe Wolff Stuart and Williams, LLP (Michele Rogerson Lynch). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 10

57. C14-2020-0143 - 12121 North IH 35 Rezoning- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12121 North IH 35 Service Road Northbound (Walnut Creek Watershed). Applicant's Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to multifamily residence-moderate high density (MF-4) district zoning. Staff and Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate high density (MF-4) district zoning. Owner/Applicant: Dupius Investments, Ltd. (Daniel McCormack) Agent: Coats Rose (Racy Haddad). City Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning request.

District(s): District 1

58. C14-2021-0109 - 12530 Research Boulevard Future Project - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 12530 Research Boulevard (Walnut Creek Watershed). Applicant Request: To rezone from community commercial (GR) district zoning and limited office (LO) to community commercial-mixed use (GR-MU) combining district zoning. First Reading approved for community commercial-mixed use (GR-MU) combining district zoning for Tract 1 and limited office-mixed use (LO-MU) combining district zoning for Tract 2 on October 14, 2021. Vote: 11-0. Owner/Applicant: Gyro Plus LLC (Mohammed Arami). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

59. C14-2022-0040 - Pioneer Hill Plaza - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 10017-1/2 Dessau Road and 1501-1/2 Arborside Drive (Walnut Creek Watershed). Applicant's Request: To rezone from multifamily residence-medium density-conditional overlay (MF-3-CO) combining district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant indefinite postponement as requested by Applicant. Owner/ Applicant: Continental Homes of Texas, LTD (John Sparrow). Agent: Doan & Associates (Julie Doan). City Staff: Heather Chaffin, Housing and Planning Department, 512-974-2122.

District(s): District 1

60. C14-2022-0049 - 500 VFW - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 500 VFW Road (Walnut Creek Watershed). Applicant's Request: To rezone from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on October 4, 2022. Owner/Applicant: Capital

City VFW Post #8787. Agent: Drenner Group, PC (Amanda Swor). City Staff: Heather Chaffin, Housing and Planning Department, 512-974-2122.

District(s): District 1

61. C14-2022-0087 - 8701 and 8627 North MoPac Expressway - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8701 and 8627 North MoPac Expressway Service Road North Bound (Shoal Creek Watershed). Applicant Request: To rezone from limited office (LO) district zoning and neighborhood commercial (LR) district zoning to general commercial services (CS) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services (CS) district zoning. Owner/Applicant: 8701 MoPac Atrium LLC. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

62. C14R-82-016(RCT) - 8701 and 8627 North Mopac Expressway RCT - Conduct a public hearing and approve a restrictive covenant amendment on a property locally known as 8611, 8627 and 8701 North MoPac Expressway Service Road North Bound (Shoal Creek Watershed). Applicant Request: To terminate the public restrictive covenant for this property associated with zoning case C14R-82-016. Staff Recommendation and Planning Commission Recommendation: To grant the public restrictive covenant termination. Owner/Applicant: 8611 MoPac LLC, 8701 MoPac Atrium LLC and US REIF Eurus Austin LLC. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

63. C14-2022-0044 - The Zimmerman - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11400 Zimmerman Lane (Bull Creek Watershed). Applicant Request: To rezone from development reserve (DR) district zoning to multifamily residence-medium density (MF-3) district zoning. Staff Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Owner/Applicant: Udaya and Uma Kumar. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

64. NPA-2022-0023.01.SH - 5107-5115 Lancaster Court - Conduct a public hearing and approve an ordinance amending Ordinance No. 20070809-55 the University Hills/Windsor Park 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 5107, 5109, 5111, 5113 and 5115 Lancaster Court (Tannehill Branch Watershed) from Multifamily Residential and Mixed Use/Office to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use land use. Owners/Applicants: Plancaster, LLC; SEMIZI, LLC; Lancaster Office Three, LLC; and Fayez Kazi. Agent: Capital A Housing (Conor Kenny). City Staff: Maureen Meredith, Housing and Planning Department (512) 974-2695.

District(s): District 4

65. C14-2022-0018.SH - 5111-5115 Lancaster - Conduct a public hearing and approve an ordinance

amending City Code Title 25 by rezoning property locally known as 5107, 5109, 5111, 5113 and 5115 Lancaster Court (Tannehill Branch Watershed). Applicant's Request: To rezone from multifamily residence-medium density-neighborhood plan (MF-3-NP) combining district zoning and neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district zoning to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning, as amended. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning, as amended. Owners/Applicants: Lancaster, LLC; SEMIZI, LLC; Lancaster Office Three, LLC; and Faye Kazi. Agent: Capital A Housing (Conor Kenny). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 4

66. C14-2022-0001 - 2409 Town Lake Circle - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 2409 and 2413 Town Lake Circle (Lady Bird Lake and Country Club West Watersheds). Applicant's Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) to corridor mixed use (CMU). First Reading approved on July 28, 2022. Vote: 10-0, Council Member Fuentes - off the dais. Owner/Applicant: 2409 Town Lake LLC (Scott Sepic). Agent: Drenner Group (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 3

67. C14-2022-0001 - 2409 Town Lake Circle - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2409 and 2413 Town Lake Circle (Lady Bird Lake and Country Club West Watersheds). Applicant's Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) to corridor mixed use (CMU) and to increase maximum building height through participation in a density bonus program. Staff Recommendation and Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU) and to increase maximum building height through participation in a density bonus program. Owner/Applicant: 2409 Town Lake LLC (Scott Sepic). Agent: Drenner Group (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 3

68. NPA-2019-0022.02- 305 S. Congress PUD - Approve second reading 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 305 South Congress Avenue (Lady Bird Lake Watershed) from Industry to Mixed Use land use. First Reading approved Mixed Use land use on April 7, 2022. Vote: 10-0, Council Member Harper-Madison was off the dais. Owner/Applicant: Richard T. Suttle, Jr., Trustee. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Jerry Rusthoven, Housing and Planning Department, 512-974-3207.

District(s): District 9

69. C814-89-0003.02 - 305 S. Congress - Approve second reading of an ordinance amending City Code Title 25 by rezoning property locally known as 305 South Congress Avenue (Lady Bird Lake Watershed). Applicant's Request: To rezone from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change conditions of zoning. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First Reading approved with additional conditions on April 7, 2022. Vote: 10-0, Council Member Harper-Madison was off the dais. Owner / Applicant: Richard T. Suttle, Jr., Trustee. Agent: Armbrust & Brown PLLC (Richard T. Suttle, Jr.). City Staff: Jerry Rusthoven, 512-974-3207.
70. C14-2022-0056 - Albert Road Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7415 Albert Road (Williamson Creek Watershed; South Boggy Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant family residence (SF-3) district zoning. Zoning and Platting Commission Recommendation: Zoning and Platting Commission Recommendation: To grant family residence-conditional overlay (SF-3-CO) combining district zoning. Owner/Applicant: Ironstone Partners LLC (Juan Pablo Mondragon). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request.

District(s): District 5

### **5:30 PM – Proclamations**

Proclamation – Hispanic Contractors Appreciation – To be presented by Mayor Adler

Proclamation – Arbor Day and Monarch Appreciation Day – To be presented by Mayor Pro Tem Alter and Council Member Pool and to be accepted by Betsy Woldman

Proclamation – Code Month – To be presented by Council Member Renteria and to be accepted by José G. Roig, Director of the Austin Code Department

### **Adjourn**

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

For assistance, please call 512-974-2210 or TTY users route through 711.

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.