

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY OCTOBER 13, 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, October 13, 2022 at Austin City Hall, 301 W. Second Street, Austin, TX and via videoconference.

Mayor Adler called the Council Meeting to order at 10:17 a.m.

AUSTIN HOUSING AND FINANCE CORPORATION MEETING

Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing and Finance Corporation to order at 11:37 a.m. See separate minutes.

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>).

Mayor Adler reconvened the Council Meeting at 11:42 a.m.

CONSENT AGENDA

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.

The motion to 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 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.
Ordinance No. 20221013-002 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.
Ordinance No. 20221013-003 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.
Ordinance No. 20221013-004 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.
Resolution No. 20221013-005 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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. District(s) Affected: District 1. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion authorizing the negotiation and execution of a U.S. Department of Housing and Urban Development Section 108 Family Business Loan with TES Inc. was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
7. Approve a resolution adopting the City of Austin Fiscal Year 2022-2023 Investment Policy. Strategic Outcome(s): Government that Works for All.
Resolution No. 20221013-007 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.

The motion to ratify amendments to contracts for polyvinyl chloride conduit and accessories with Texas Electric Cooperatives, Techline Inc., and Wesco Distribution, Inc. doing business as Hi-Line Utility Supply Co, LLC also known as Power Supply was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.

The motion authorizing amendments to contracts for polyvinyl chloride conduit and accessories with Texas Electric Cooperatives, Techline Inc., and Wesco Distribution, Inc. doing business as Hi-Line Utility Supply Co, LLC also known as Power Supply was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.

The motion to ratify a contract with Barrier Fence, LLC doing business as Barrier Fence Systems LLC was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.

The motion authorizing negotiation and execution of a contract with SUBNET Solutions Inc. was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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]. District(s) Affected: District 4. Strategic Outcome(s): Safety, Health and Environment, Culture and Lifelong Learning.

The motion authorizing negotiation and execution of a construction contract with Rodriguez Barr Inc. doing business as The Barr Company, AIA was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.

A motion authorizing the award of a contract with Genserve LLC doing business as LJ Power Inc. was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.

A motion authorizing the award of a contract with Southern Tire Mart LLC was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.

The motion authorizing 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. doing business as Global Industrial was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.
- The motion authorizing amendments to contracts with American Facility Services Inc. and BHW Operating Company LP was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.**

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.
- The motion authorizing the award of a contract with CVI Development, LLC was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.**

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.

This item was withdrawn on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.
The motion authorizing the award of two contracts with Industrial Disposal Supply Co, LLC doing business as Industrial Disposal Supply Co. and Patterson Equipment Company was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.
The motion authorizing the award of two contracts with Vulcan Construction Materials LLC and Aggregate Logistics LLC was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.
The motion authorizing the negotiation and execution of a contract with ESO Solutions, Inc. was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.

The motion authorizing the negotiation and execution of multiple contracts with Austin Regional Manufacturers Association and Austin Urban Technology Movement was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on a 10-1 vote. Council Member Kelly voted nay.

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.

The motion authorizing the negotiation and execution of an interlocal agreement with the University of Texas at Austin was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.

The motion authorizing the negotiation and execution of a one-year contract with the Austin Tenants Council was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.

The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Butler Snow, LLP was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.

This item was postponed to October 27, 2022 on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.

This item was postponed to October 27, 2022 on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.
Resolution No. 20221013-028 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.
Ordinance No. 20221013-029 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.
Ordinance No. 20221013-030 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.
The motion authorizing the negotiation and execution of two agreements with social service agencies to provide workforce development services was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

Items 32 and 33 were pulled for discussion.

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. District(s) Affected: District 4, District 7. Strategic Outcome(s): Mobility, Safety.
Resolution No. 20221013-034 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.

The motion authorizing payment of the City's membership fees for Fiscal Year 2022-2023 to the Greater Austin-San Antonio Corridor Council was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.
The motion authorizing the negotiation and execution of a community facilities agreement with Austin Affordable Housing Corporation, a Texas nonprofit corporation was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.
The following appointments and waivers were approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote:

Nominations

Board/Nominee

Nominated by

Asian American Quality of Life Advisory Commission

Anna Lan

Council Member Pool

Waivers

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

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

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. Council Sponsors: Council Member Paige Ellis, Mayor Steve Adler, Council Member Ann Kitchen, Council Member Mackenzie Kelly, Council Member Vanessa Fuentes, Council Member Leslie Pool.
The motion approving the waiver or reimbursement of certain fees for the Hunter 5K Halloween Fun Run was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

Council Member Pool contributed \$250 toward fees.

Council Member Kelly added an additional \$250, making her total contribution \$500.

Item 39 was pulled for discussion.

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. Council Sponsors: Council Member Kathie Tovo, Mayor Pro Tem Alison Alter, Council Member Vanessa Fuentes, Council Member Ann Kitchen.
This item was postponed to October 27, 2022 on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

ITEMS TO SET PUBLIC HEARINGS

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.
The public hearing was set for Thursday, October 27, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701 on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.
The public hearing was set for Thursday, October 27, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701 on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.
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.

The public hearing was set for Thursday, October 27, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701 on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

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.

The public hearing was set for Thursday, October 27, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701 on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

AGENDA ADDENDUM CONSENT ITEMS

71. Authorize negotiation and execution of a payment-option election and release agreement with the Electric Reliability Council of Texas (ERCOT) related to a settlement of claims in the Brazos Electric Cooperative bankruptcy proceeding in Case No. 21-30725 in the United States Bankruptcy Court for the Southern District of Texas. Strategic Outcome(s): Government that Works for All.

The motion authorizing the negotiation and execution of a payment-option election and release agreement with the Electric Reliability Council of Texas (ERCOT) was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

72. Authorize award and execution of a construction contract with Veliz Company, LLC d/b/a Veliz Construction for the Palmer Events Center Plumbing and Restroom Upgrade - Rebid project in the amount of \$3,521,891 plus a \$352,190 contingency, for a total contract amount not to exceed \$3,874,081. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 33.39% MBE and 9.36% WBE participation.] District(s) Affected: District 9. Strategic Outcome(s): Economic Opportunity and Affordability

The motion authorizing the award and execution of a construction contract with Veliz Company, LLC doing business as Veliz Construction was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

73. Approve an ordinance creating the Austin/Travis County Public Health Commission to serve as an advisory board to City Council concerning public health programs, projects, and services within Austin and Travis County. Strategic Outcome(s): Health and Environment.

Ordinance No. 20221013-073 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

Item 74 was pulled for discussion

75. Approve a resolution directing the City Manager to implement a strategy, engage with stakeholders, and provide public education campaigns to reduce the use of single-use plastic by restaurants, bars, and other commercial food or beverage establishments; to work with the Austin Restaurant Association and other stakeholders to promote replacing single-use plastics and Styrofoam with biodegradable materials; and to explore ways to reduce reliance and use of disposable plastic water bottles by Austin visitors as well as City employees and residents at City-owned facilities. Council Sponsors: Council Member Kathie Tovo, Council Member Vanessa Fuentes, Mayor Pro Tem Alison Alter, Council Member Leslie Pool, Council Member Paige Ellis.

Resolution No. 20221013-075 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

76. Approve a resolution initiating site-specific amendments to City Code Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative), as minimally required to address development related to the proposed Brodie Oaks PUD, C814-2021-0099, and located within the Barton Springs Zone. Council Sponsors: Council Member Ann Kitchen, Council Member Leslie Pool, Council Member Paige Ellis, Council Member Kathie Tovo, Council Member Vanessa Fuentes, Mayor Steve Adler.

Resolution No. 20221013-076 was approved on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

ITEMS SET TO PUBLIC HEARINGS CONTINUED

77. Set a public hearing to consider an ordinance amending City Code Title 25 to create a new overlay that modifies compatibility and parking requirements along certain roadways. (Suggested date and time: December 1, 2022 or at a special called meeting during November or December at Austin City Hall, 301 W. Second Street, Austin, Texas). Strategic Outcome(s): Government that Works for All.

The public hearing was set for Wednesday, November 30, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701 on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

78. Set a public hearing to consider an ordinance amending City Code Title 25 to allow residential uses on commercially zoned property under certain conditions. (Suggested date and time: December 1, 2022 or at a special called meeting during November or

December at Austin City Hall, 301 West Second Street, Austin, Texas). Strategic Outcome(s): Government that Works for All.

The public hearing was set for Wednesday, November 30, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701 on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.

79. Set a public hearing to consider an ordinance amending the Regulating Plan for the North Burnet Gateway Zoning District to increase the maximum building height with development bonus and to modify the maximum floor-to-area ratio with development bonus in the Commercial Mixed Use-Gateway Zone Subdistrict. (Suggested date: October 27, 2022, at Austin City Hall, 301 W. Second Street, Austin, TX.) Strategic Outcome(s): Economic Opportunity and Affordability.
- The public hearing was set for Thursday, October 27, 2022, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701 on consent on Council Member Fuentes' motion, Council Member Pool's second on an 11-0 vote.**

PUBLIC HEARING AND POSSIBLE ACTIONS

48. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to environmental, drainage, landscape, and site plan requirements.
- A motion to postpone the item to October 27, 2022 was made by Council Member Kelly and seconded by Council Member Vela.**

The following amendment to the motion was made by Mayor Pro Tem Alter and seconded by Council Member Tovo as follows:

"To postpone to October 27, 2022 the recommendations to;

- Delay Functional Green landscape requirements to allow for additional time to engage stakeholders.**
- Delay proposed amendments that would ensure that environmental regulations do not disincentivize missing middle projects to allow for additional stakeholder engagement.**
- Delay proposed amendments related to major rehabilitations of utility lines to allow for Austin Water and Watershed Protection staff additional time to develop a unified proposal. and ask that two options be provided to us at the next meeting (One that has the 400 feet and was that does not)."**

The following amendment to the amendment was made by Council Member Kitchen and seconded by Council Member Pool:

"Limit the postponement of the item to the portion related to the Colorado River protections."

The amendment to the amendment failed on a 3-7 vote. Those voting aye were: Council Members, Kitchen, Pool, and Tovo. Those voting nay were: Mayor Adler, Council Members Ellis, Fuentes, Harper-Madison, Kelly, Renteria, and Vela. Mayor Pro Tem Alter abstained.

Direction was given to staff to:

“Reach out to business owners and have information available to be distributed.”

The amendment to the motion passed on an 11-0 vote.

The public hearing was conducted and a motion to postpone the item to October 27, 2022 as amended passed on an 11-0 vote.

PUBLIC COMMUNICATION

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! – **Present.**

Don Williamson - 85th Anniversary for Stacy Pool – **Present.**

Maria Johnson - Bocce Courts :) – **Present.**

Barbara LaBruzza - Bocce Ball – **Not Present.**

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

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

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

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

sadie pack - City of Austin Water contract – **Not Present.**

Frances Acuna - Thankfulness and Accountability – **Present.**

PUBLIC HEARINGS AND POSSIBLE ACTIONS CONTINUED

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) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20221013-046 was approved on Council Member Pool's motion, Council Member Ellis' second on a 10-0 vote. Council Member Kelly was off the dais.

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) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20221013-047 was approved on Council Member Tovo's motion, Council Member Pool's second on a 10-0 vote. Council Member Kelly was off the dais.

Mayor Adler recessed the Council Meeting at 1:24 p.m.

LIVE MUSIC

Flora & Fawna

Mayor Adler reconvened the Council Meeting at 2:13 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTIONS CONTINUED

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.

A motion to close the public hearing and approve Ordinance No. 20221013-049 Version 2A was made by Council Member Pool and seconded by Council Member Kitchen.

The following amendment to the motion above was made by Mayor Adler and seconded by Council Member Pool:

"1. The City Manager is directed to explore and provide recommendations for Council's consideration sufficiently prior to consideration of Fiscal Year 2023-24 rates, charges or adjustments so as to allow Council action:

A. Bring back to Council for possible action at a December, 2022, meeting, options as to how or when the adjustment of PSA rates, tariffs or charges are re-set that may help reduce ratepayer price shocks, help smooth revenue volatility, or limit reserve depletion, which may include, without limitation, different or more frequent re-settings, or identifying different triggers for when the PSA might need to be re-set based on movements in energy costs or Austin Energy cash position; and

B. Develop options that would relate energy consumption levels with PSA rates to promote and incentivize energy conservation; and

C. Consider reserve policies that may help protect rate payers from market volatility, and which may include recommendations that differentiate between conditions resulting from rising versus lowering of energy prices and increasing versus decreasing reserves.

2. Austin Energy will provide monthly reports to City Council and the Electric Utility Commission on the status of the PSA costs and recovery as well as any policy options requested in section 1 of this motion.”

The above amendment was included with Council Member Tovo expressing her objection to Part 1 section C.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20221013-049 Version 2A as amended was approved on a 7-4 vote. Members voting aye were: Mayor Adler, Mayor Pro Tem Alter, Council Members Kitchen, Pool, Renteria, Tovo, and Vela. Members voting nay were: Council Members Fuentes, Ellis, Harper-Madison, and Kelly.

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

This item was postponed to October 27, 2022 without objection.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

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) Affected: District 1.

Ordinance No. 20221013-052 for family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning was approved on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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) Affected: District 10.
- This item was postponed to October 27, 2022 at the request of staff on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.**
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) Affected: District 2.
- This item was postponed to October 27, 2022 at the joint request of the Applicant and staff on Council Member Renteria's motion, Council Member Pool's second on an 8-0 vote. Council Member Tovo recused. Council Members Fuentes and Harper-Madison were off the dais.**
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) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20221013-055 to downtown mixed use-conditional overlay (DMU-CO) combining district zoning was approved on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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) Affected: District 10.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20221013-056 to general office-conditional overlay (GO-CO) combining district zoning was approved on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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) Affected: District 1.

This item was postponed to November 15, 2022 at the request of the Applicant on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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) Affected: District 10.

Ordinance No. 20221013-058 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 was approved on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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) Affected: District 1.

This item was postponed indefinitely at the request of the Applicant on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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) Affected: District 1.

This item was postponed to October 27, 2022 at the request of Staff on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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) Affected: District 10.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20221013-061 to general commercial services (CS) district zoning was approved on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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) Affected: District 10.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20221013-062 to grant the public restrictive covenant termination was approved on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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) Affected: District 10.

This item was postponed to October 27, 2022 at the request of Mayor Pro Tem Alter on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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) Affected: District 4.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20221013-064 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, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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 Fayez Kazi. Agent: Capital A Housing (Conor Kenny). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 4.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20221013-065 to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning, as amended was approved on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

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) Affected: District 3.

Item 66 was withdrawn and replaced with Item 67.

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) Affected: District 3.

This item was postponed to October 27, 2022 at the request of staff on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

Items 68 and 69 were pulled for discussion.

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) Affected: District 5.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20221013-070 to family residence-conditional overlay (SF-3-CO) combining district zoning as amended below was approved on Council Member Renteria's motion, Council Member Pool's second on a 9-0 vote. Council Members Fuentes and Harper-Madison were off the dais.

The amendment was to Part 2 as follows:

"Development of the property is limited to seven dwelling units maximum, and subject to limitations established by existing setbacks, and by one shared driveway until such time as roadway improvements can be made and the City of Austin Transportation Department requires an alternate driveway configuration."

DISCUSSION ITEMS

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.

This item was withdrawn at the request of staff without objection.

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.

The motion authorizing the execution of three agreements with Youth and Family Alliance - Street Outreach, Urban Alchemy, and Austin Area Urban League, and directing staff was approved on Council Member Kitchen's motion, Council Member Pool's second on an 8-0 vote. Council Members Fuentes, Harper-Madison, and Vela were off the dais.

The direction to staff was:

To bring forward the agreement with Sunrise Community Church at the October 27, 2022 Council meeting.

74. Approve a resolution relating to balancing development requirements that reduce development capacity or affordability with options that offset those requirements; and initiating amendments to Titles 25 and 30 of the City Code. Council Sponsors: Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Paige Ellis, Council Member Vanessa Fuentes, Council Member Leslie Pool.
- This item was postponed to October 27, 2022 on Mayor Pro Tem Alter's motion, Council Member Kitchen's second on an 11-0 vote.**

The following two items were acted on in one combined motion:

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) Affected: District 9.
- This item was postponed to November 3, 2022 on Mayor Adler's motion, Council Member Pool's second on a 7-0 vote. Council Members Fuentes, Renteria, Tovo, and Vela were off the dais.**
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.

This item was postponed to November 3, 2022 on Mayor Adler's motion, Council Member Pool's second on a 7-0 vote. Council Members Fuentes, Renteria, Tovo, and Vela were off the dais.

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.

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).

Withdrawn

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).

Withdrawn

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

PROCLAMATIONS

Proclamation – Austin Hispanic Latinx Employees Day – To be presented by Council Member Vela

Proclamation – Code Month – To be presented by Mayor Adler and to be accepted by José C. Roig, Director of the Austin Code Department

Proclamation – 85th Anniversary of Big Stacy Pool Year – To be presented by Mayor Pro Tem Alter and to be accepted by PARD Directory Kimberly McNeeley, City staff, and Donnie Williamson

Proclamation – Arbor Day and Monarch Appreciation Day – To be presented by Mayor Pro Tem Alter and Council Member Pool and to be accepted by Emily King and Jessica Wright

The minutes were approved on this the 15th day of November 2022 on Council Member Pool's motion, Council Member Ellis' second on a 9-0 vote. Mayor Adler and Council Member Kelly were off the dais.