



**AUSTIN CITY COUNCIL  
MINUTES**

**WORK SESSION MEETING  
TUESDAY, OCTOBER 11, 2022**

The City Council of Austin, Texas convened in a Work Session Meeting on Tuesday, October 11 at 301 W. Second Street, Austin, TX and via Videoconference.

Mayor Adler called the Council Meeting to order at 9:17 a.m. Council Member Pool and Harper-Madison attended virtually.

**C. COUNCIL ITEMS OF INTEREST**

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 presentation on Austin Energy's 2023 Power Supply Adjustment was conducted by Mark Dombroski, Austin Energy.**

**Direction was given to staff to publish the options chart as backup to this item on Thursday's, October 13, 2022 agenda. Direction was given to consider detailed messaging when customers are receiving a temporary benefit.**

**D. COUNCIL DISCUSSION**

- D1. Schedule for Remaining 2022 City Council Meetings and Work Sessions.**

**C. COUNCIL ITEMS OF INTEREST CONTINUED**

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 Mayor recessed the meeting to go into Executive Session at 12:08 p.m.**

#### **E. 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.**

- E1.** 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). **Conducted**
- E2.** 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). **Conducted**
- 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. **Conducted**

**Executive Session ended and the Mayor reconvened the meeting at 2:34 p.m**

#### **C. COUNCIL ITEMS OF INTEREST CONTINUED**

- 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.

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.
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.
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.

**Council Member Tovo adjourned the meeting at 3:15 p.m. without objection.**

**The minutes were approved on this the 15<sup>th</sup> 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.**