



# City of Austin

Austin City Hall, 301 W.  
Second Street, Austin, TX and  
some member may be  
participating via  
videoconference.

## Agenda

### City Council Work Session

*Mayor Kirk Watson*

*Mayor Pro Tem Paige Ellis*

*Council Member Natasha Harper-Madison*

*Council Member Vanessa Fuentes*

*Council Member José Velásquez*

*Council Member José "Chito" Vela*

*Council Member Ryan Alter*

*Council Member Mackenzie Kelly*

*Council Member Leslie Pool*

*Council Member Zohaib "Zo" Qadri*

*Council Member Alison Alter*

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Tuesday, February 7, 2023

9:00 AM

Austin City Hall

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*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.**

#### **A. Pre-Selected Agenda Items**

#### **B. Briefings**

**B1.** February 2023 Winter Weather Situational Update.

#### **C. Council Items of Interest**

None

#### **D. Council Discussion**

None

#### **E. Executive Session**

- E1.** Discuss legal issues related to Ida Renae Nobles, et al v. Richard Egal and Maxwell Johnson, Cause No. 1:19-cv-00389-ML, in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E2.** Discuss legal issues related to Jason Gallagher v. City of Austin et al, Cause No. 1:20-cv-00901-RP in the United States District Court for the Western District of Texas, Austin Division; Steven Arawn v. City of Austin et al, Cause No. 1:20-cv-01118-RP in the United States District Court for the Western District of Texas, Austin Division; and Nicole Underwood v. City of Austin et al, Cause No.

1:20-cv-00032 in the United States District Court for the Western District of Texas, Austin Division  
(Private consultation with legal counsel - Section 551.071 of the Government Code).

- E3.** Discuss legal issues related to City of Austin 2023 labor contract negotiations (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).
- E4.** Discuss legal issues related to a potential election in May 2023 concerning civilian police oversight (Private consultation with legal counsel - Section 551.071 of the Government Code).

**Adjourn**

## Consent Agenda

### Approval of Minutes

1. Approve the minutes of the Austin City Council budget adoption of August 17, 2022, regular meeting of December 1, 2022, work session of January 24, 2023, and regular meeting of January 26, 2023.

### Economic Development Department

2. Approve an ordinance amending the Fiscal Year 2022-23 Economic Development Department Operating Budget Special Revenue Second Street Tax Increment Financing Fund (Ordinance No. 20220817-004) to increase appropriations in the amount of \$110,345 for streetscape maintenance.  
Strategic Outcome(s): Economic Opportunity and Affordability; Culture and Lifelong Learning Strategy.  
District(s): District 9
3. Approve an ordinance amending the Fiscal Year 2022-2023 Economic Development Department Operating Budget Special Revenue Cultural Arts Fund (Ordinance No. 20220817-004) to increase appropriations in the amount of \$2,654,892 for creative arts purposes.  
Strategic Outcome(s): Economic Opportunity and Affordability; Culture and Lifelong Learning Strategy.
4. Approve an ordinance amending the Fiscal Year 2022-2023 Economic Development Department Operating Budget Special Revenue Live Music Fund (Ordinance No. 20220817-004) to increase appropriations in the amount of \$525,000 for creative arts purposes.  
Strategic Outcome(s): Economic Opportunity and Affordability; Culture and Lifelong Learning Strategy.
5. Approve an ordinance amending the Fiscal Year 2022-2023 Economic Development Department Operating Budget Special Revenue Historic Preservation Fund (Ordinance No. 20220817-004) to increase appropriations in the amount of \$2,120,446 for historic restoration and preservation purposes. Related to Item #6  
Strategic Outcome(s): Economic Opportunity and Affordability; Culture and Lifelong Learning Strategy.
6. Approve a resolution authorizing the City Manager to award, negotiate, and execute Historic Preservation Fund grant agreements and allocations for Fiscal Year 2022-2023 in an amount not to exceed \$20,771,677 for historic preservation and restoration projects. Related to Item #5.  
Strategic Outcome(s): Culture and Lifelong Learning.  
District(s): District 1; District 10; District 3; District 8; District 9

### Emergency Medical Services

7. Approve an ordinance authorizing negotiation and execution of a license agreement with Acadian Ambulance Service, Inc. for a limited term and waiving City Code Chapter 14-11 (Use of Right of Way) and Section 10-2-60 of Chapter 10-2 (Medical Transfer Services) for Acadian Ambulance Service, Inc. to allow time to negotiate and execute the agreement; and declaring an emergency.  
Strategic Outcome(s): Safety.

## Financial Services- Contracts

8. Authorize negotiation and execution of a contract for ServiceNow products, services, and software including maintenance and support for Austin Energy, with Fujitsu America Inc. for a term of five years in an amount not to exceed \$14,000,000.

[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 insufficient subcontracting opportunities; therefore, no subcontracting goals were established. However, the recommended contractor identified subcontracting opportunities].

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

9. Authorize execution of a construction contract for the 2018 Bond Stassney Lane/South Congress Avenue Intersection Safety Improvement project, with Austin Underground, Inc. in the amount of \$3,182,482 plus a \$318,249 contingency for a total contract amount not to exceed \$3,500,730.

[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 84.86% MBE and 1.57% WBE participation].

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

**District(s):** District 2; District 3

10. Authorize negotiation and execution of a contract for the Airport Checkpoint Queue Monitoring System with CrowdVision Inc. d/b/a WirelessWerx Inc. for a term of five years in an amount not to exceed \$710,000.

[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):** Mobility, Safety.

11. Authorize negotiation and execution of a cooperative contract to provide law enforcement software application products and services, with LexisNexis Risk Data Management LLC d/b/a LexisNexis Risk Solutions, for a term of five years in an amount not to exceed \$1,800,000.

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

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

12. Authorize negotiation and execution of a contract to provide maintenance, support, and licenses for General Electric Proficy GlobalCare software with Gray Matter Systems South LLC d/b/a Gray Matter Systems for a term of five years in an amount not to exceed \$885,000.

[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.

13. Authorize execution of five contracts for grounds maintenance with Incircle Management Inc.; Corza Construction LLC; Unity Contractor Services, Inc.; Pyramid Contracting Services, Inc., and Abescape Group LLC, each for a term of five years in an amount not to exceed \$28,000,000, divided among 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 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 negotiation and execution of a contract to provide third-party administration services of the City's cultural grants programs with Greater Austin Performing Arts Center Inc., d/b/a The Long Center for the Performing Arts for up to five years, in an aggregate amount including all grants made under these programs not to exceed \$100,000,000 inclusive of the administrative fees for this contract in an amount not to exceed \$4,475,000.

[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):** Economic Opportunity and Affordability, Culture and Lifelong Learning.

15. Authorize negotiation and execution of a cooperative contract for customer care and billing software hosting and related support services with Oracle America, Inc., for a term of 17 months in an amount not to exceed \$14,605,332.

[Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services 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 negotiation and execution of all documents and instruments necessary to acquire in fee simple approximately 34.51 acres situated in the James Rogers Survey No. 19, Travis County, Texas, and in The Park at Duval, a subdivision in Travis County, Texas, generally located at 3900 Duval Road, Austin, Texas from Hyde Park Baptist Church, for a total amount not to exceed \$505,000 including closing costs.

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

**District(s):** District 7

17. Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple 2.20 acres situated in the Santiago Del Valle Grant, Abstract No. 24, Travis County, Texas,

located at 10413 South Interstate Highway 35, Austin, Texas from J. Terry Weeks, for a total amount not to exceed \$860,000 including closing costs.

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

**District(s):** District 5

## **Housing and Planning**

18. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, in an amount not to exceed \$5,000,000, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, to finance, in part, new construction of an affordable rental development located at or near 4506 East William Cannon Drive, Austin, Texas 78744.

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

**District(s):** District 2

19. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, in an amount not to exceed \$3,000,000, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, to finance, in part, the new construction of an affordable rental development located at or near 6420 Loyola Lane, Austin, Texas 78724.

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

**District(s):** District 1

20. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, in an amount not to exceed \$6,000,000, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, to finance, in part, the new construction of an affordable rental development located at or near 916 Norwood Park Boulevard, Austin, Texas 78753.

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

**District(s):** District 4

21. Approve a resolution consenting to the issuance of Multi-family Private Activity Bonds, in an amount not to exceed \$5,000,000, by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, to finance, in part, the new construction of an affordable rental development located at or near 2001 Rosewood Avenue, Austin, Texas 78702.

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

**District(s):** District 1

22. Approve a resolution related to an application by Austin Lyndhurst DMA Housing, LLC, or an affiliated entity, for 9% Low Income Housing Tax Credits for a new construction development to be known as Forest North Apartments, located at or near 13424 Lyndhurst Street, Austin, Texas 78729, and related to the allocation of housing tax credits within the City and near the proposed development.

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

**District(s):** District 6

23. Approve a resolution related to an application by The Roz Parkside, LP, or an affiliated entity, for 9% Low Income Housing Tax Credits for a new construction development to be known as The Roz, located at or near 3435 Parker Lane, Austin, Texas 78741, and related to the allocation of

housing tax credits within the City and near the proposed development.

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

**District(s):** District 3

24. Approve a resolution related to an application by Grove Supportive Housing Partnership, LP, or an affiliated entity, for 9% Low Income Housing Tax Credits for a new construction development to be known as The Sasha, located at or near 1401 Grove Boulevard, Austin, Texas 78741, and related to the allocation of housing tax credits within the City and near the proposed development.

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

**District(s):** District 3

25. Authorize negotiation and execution of all documents necessary to resolve an exception to title and facilitate a previous transfer of real property by Austin Housing Finance Corporation to City of Austin described as Parcel 7 (1103 Juniper Street) and Parcel 8 (1159 Waller Street) in that General Warranty Deed dated June 26, 2003, recorded as Document No. 2003221044 of the Official Public Records of Travis County, Texas.

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

**District(s):** District 1

## **Law**

26. Authorize negotiation and execution of a legal services agreement with Jackson Walker LLP for legal services related to City of Austin vs. Kramer Plaza, Ltd., a Texas Limited Partnership, Cause Number C-1-PB-22-000045, in an amount not to exceed \$160,000.

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

27. Authorize negotiation and execution of a legal services agreement with Bickerstaff Heath Delgado Acosta LLP for legal services related to City of Austin vs. Satguru, LLC, a Texas Limited Liability Company d/b/a Econolodge, Cause Number C-1-PB-21-002647, in an amount not to exceed \$100,000.

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

28. Authorize negotiation and execution of an amendment to a legal services agreement with Denton Navarro Rocha Bernal & Zech, P.C. for representation in connection with the City's public safety labor contract negotiations in the amount of \$200,000, for a total contract amount not to exceed \$600,000.

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

29. Approve an ordinance amending City Code Section 4-14-105 to clarify when a landlord must provide time to cure lease violations.

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

## **Public Health**

30. Authorize negotiation and execution of an interlocal agreement and trademark license agreement with the U.S. Department of Health and Human Services for communications campaign materials to complement physical activity and health communications initiatives.

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

31. Authorize negotiation and execution of Amendment No. 2 to the interlocal agreement with Travis County for job readiness training and summer employment for youth ages 14 to 21, to add one-time funding in an amount not to exceed \$269,480, for a revised total amount not to exceed \$2,498,210.

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

32. Authorize negotiation and execution of Amendment No. 3 to the agreement with Out Youth to provide mental health services for Lesbian, Gay, Bi-sexual, Transgender, Queer, Intersex, Asexual+ individuals, to add two 12-month extension options beginning on April 1, 2023, each in an amount not to exceed \$100,000, for a revised total agreement amount not to exceed \$500,000.

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

33. Authorize negotiation and execution of an agreement with Get Up Project d/b/a Hope Medical Clinic to provide health education and navigation services prioritizing the Austin Asian American and Pacific Islander communities, for a 12-month term beginning April 1, 2023, and one 12-month extension option, each in an amount not to exceed \$100,000, for a total agreement amount not to exceed \$200,000.

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

34. Approve an ordinance amending the Fiscal Year 2022-2023 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept and appropriate \$26,000 in grant funds from the National Environmental Health Association and U.S. Food and Drug Administration for the Retail Flexible Funding Model Grant Program.

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

35. Approve an ordinance amending the Fiscal Year 2022-2023 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept and appropriate \$555,426 in grant funds from the Centers for Disease Control and Prevention for Mpox response activities.

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

## **Watershed Protection Department**

36. Authorize negotiation and execution of a multi-term contract to provide molecular and biochemical screening for toxic algae in Austin-area reservoirs and surface waters with Florida International University, with an initial 12-month contract in the amount of \$99,910.00, and two renewal options in the amount of \$99,910.00 and \$49,517.77, for a total contract amount not to exceed \$249,337.77.

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

37. Authorize negotiation and execution of Amendment No. 2 to the Federal Grant Agreement with the Waterloo Greenway Conservancy for a grant expert to be jointly funded by the City and the Conservancy for an additional 12-month term beginning January 1, 2023, in an amount not to exceed \$60,000, and two 12-month extension options each in an amount not to exceed \$60,000, for a total agreement amount not to exceed \$285,000.



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

38. Approve an ordinance authorizing negotiation and execution of an amendment to the Project Partnership Agreement with the U.S. Army Corps of Engineers for the Confluence Construction Project; amending the Fiscal Year 2022-2023 Watershed Protection Department Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept and appropriate up to \$3,975,000 from the U.S. Army Corps of Engineers for the Confluence Construction Project; and amending the Fiscal Year 2022-2023 Watershed Protection Department Capital Budget (Ordinance No. 20220817-004) to appropriate up to \$3,975,000 from the U.S. Army Corps of Engineers for the Confluence Construction Project.

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

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

39. 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.

40. Approve a resolution related to the operation of City shelters during extreme weather events.

**Sponsors:** Council Member Mackenzie Kelly, Council Member Ryan Alter, Council Member Zohaib “Zo” Qadri, Mayor Kirk Watson, and Council Member José 'Chito' Vela

41. Approve a resolution creating an economic development grant program, to fund the Board of Adjustment Applicant Assistance Program (BAAP) to assist qualifying residential homestead applicants to pay for City fees assessed for an application for a residential zoning variance or special exception variance.

**Sponsors:** Council Member Natasha Harper-Madison, Council Member Vanessa Fuentes, Council Member José Velásquez, Mayor Pro Tem Paige Ellis, and Council Member Zohaib “Zo” Qadri

42. Approve a resolution initiating amendments to City Code Title 25 related to disaggregation of substandard lots and lots that qualify for small-lot amnesty.

**Sponsors:** Council Member José 'Chito' Vela, Council Member Zohaib “Zo” Qadri, Council Member Leslie Pool, and Council Member José Velásquez

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

43. Set a public hearing related to an application by Cairn Point at Cameron, 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 Cairn Point at Cameron, located at or near 7205 Cameron Road, Austin, Texas 78752, within the City. (Suggested date: Thursday, February 23, 2023, Austin City Hall, 301 West 2nd Street, Austin, Texas 78701).

**District(s):** District 4

#### **Non-Consent**

#### **Austin Housing and Finance Corporation Meeting**

44. 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/departments/city-council/2023/20230209-ahfc.htm>).

### **Public Hearings and Possible Actions**

45. Conduct a public hearing related to an application by Austin Leased Housing Associates VI, Limited Partnership, or an affiliated entity, for housing tax credits for rehabilitation of a multi-family housing development to be financed through the private activity bond program and to be known as Woodway Square, located at or near 1700 Teri Road, Austin, Texas 78744, 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 2

46. Conduct a public hearing and consider an ordinance amending City Code Title 25 to amend the North Burnet/Gateway Regulating Plan to modify the Gateway and Midway Zones, within the Transit Oriented Development Subdistrict, to increase the maximum floor-to-area ratio and building height when using a development bonus.

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

47. Conduct a public hearing and consider second and third readings of an ordinance regarding a site-specific amendment to City Code Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative), as required to address development related to the proposed Brodie Oaks PUD, C814-2021-0099, and located within the Barton Springs Zone. Related to Items #68 and #69.

**Strategic Outcome(s):** Health and Environment; Safety; Economic Opportunity and Affordability.

### **Executive Session**

48. Discuss legal issues related to *Ida Renae Nobles, et al v. Richard Egal and Maxwell Johnson*, Cause No. 1:19-cv-00389-ML, in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).
49. Discuss legal issues related to *Jason Gallagher v. City of Austin et al*, Cause No. 1:20-cv-00901-RP in the United States District Court for the Western District of Texas, Austin Division; *Steven Arawn v. City of Austin et al*, Cause No. 1:20-cv-01118-RP in the United States District Court for the Western District of Texas, Austin Division; and *Nicole Underwood v. City of Austin et al*, Cause No. 1:20-cv-00032 in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).
50. Discuss legal issues related to City of Austin 2023 labor contract negotiations (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).
51. Discuss legal issues related to a potential election in May 2023 concerning civilian police oversight (Private consultation with legal counsel - Section 551.071 of the Government Code).

## **Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)**

52. NPA-2022-0022.01- 406 and 428 E. Alpine Road - Conduct a public hearing and approve 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 properties locally known as 406 and 428 East Alpine Road (Blunn Creek Watershed) from Office to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: Austin Memorial Home of Austin, a Texas non-profit corporation. Agent: David Hartman, DeBois, Bryant & Campbell. City Staff: Kathleen Fox, Housing and Planning Department, 512-974-7877.

District(s): District 3

53. C14-2022-0101 - 406 and 428 Alpine Road Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 406 and 428 East Alpine Road (Blunn Creek Watershed). Applicant's Request: To rezone from general office-conditional overlay-neighborhood plan (GO-CO-NP) combining district zoning to general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning, as amended. Owner/Applicant: Austin Memorial Home of Austin, Texas (Donald P. Dorsey). Agent: DuBois, Bryant & Campbell, L.L.P. (David Hartman). City Staff: Nancy Estrada, 512-974-7617.

District(s): District 3

54. NPA-2022-0005.02 - Second Alpha .95 - Conduct a public hearing and approve an ordinance amending Ordinance No. 010927-05 the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2404 Thrasher Lane (Carson Creek Watershed) from Commercial to Single Family land use. Staff Recommendation: To grant the applicant's request for Single Family land use. Planning Commission Recommendation: To be reviewed on February 28, 2023. Owner/Applicant: Alpha Builders (Gino Shvetz). Agent: Rodney K. Bennett. City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 3

55. C14-2022-0114 - Second Alpha .96 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known 2404 Thrasher Lane (Carson Creek Watershed). Applicant Request: To rezone from general commercial services-neighborhood plan (CS-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on February 28, 2023. Owner/Applicant: Alpha Builders (Gino Shvetz). Agent: Bennett Consulting (Rodney K. Bennett). City Staff: Wendy Rhoades, 512-974-7719.

District(s): District 3

56. C14-2022-0116 - SOCO Coffee and Art Garden - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5604 South

Congress Avenue (Williamson Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning. Owner/Applicant: CMG Partnership, Ltd. (Dean Goodnight). Agent: Thomas Bailey. City Staff: Nancy Estrada, 512-974-7617.

**District(s):** District 2

57. NPA-2022-0016.03 - 4927 East 5th Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 4927 East 5th Street (Colorado River Watershed) from Industry to Commercial land use. Staff Recommendation and Planning Commission Recommendation: To grant Commercial land use. Owner/Applicant: 4927 E. 5th LTD. City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

**District(s):** District 3

58. C14-2022-0103 - 4927 East 5th Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known 4927 East 5th Street (Colorado River Watershed). Applicant Request: To rezone from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Owner/Applicant: 4927 E. 5th LTD. Agent: Drenner Group LLP (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122

**District(s):** District 3

59. NPA-2022-0023.03 - Berkman Residential - 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 6305 Berkman Drive (Fort Branch Watershed) from Higher Density Single Family to Multifamily Residential land use. Staff Recommendation and Planning Commission Recommendation: To grant Multifamily Residential land use. Owners/Applicants: Lewis Douglas D CCL Revocable Trust. Agent: Thrower Design, LLC (Ron Thrower and Victoria Haase). City Staff: Maureen Meredith, Housing and Planning Department (512) 974-2695.

**District(s):** District 4

60. C14-2022-0104 - Berkman Residential - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6305 Berkman Drive (Fort Branch Watershed). Applicant Request: To rezone from townhouse and condominium-neighborhood plan (SF-6-NP) combining district zoning to multifamily residence high density district-neighborhood plan (MF-5-NP) combining district zoning. Staff Recommendation:

To grant multifamily medium density residence-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence high density -conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning. Owners/Applicants: Lewis Douglas D CCL Revocable Trust. Agent: Thrower Design, LLC (Ron Thrower and Victoria Haase). City Staff: Heather Chaffin, 512-974-2122.

District(s): District 4

61. C14-2022-0141 -12th & West Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 801 and 807 West 12th Street and 1108, 1110, and 1112 West Avenue (Shoal Creek Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Owner/Applicant: Ellis Real Estate Development LLC. (Brian Larson, Brad Burns). Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 9

62. C14-2022-0084 - 705 Brownlee Circle Rezone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 705 Brownlee Circle (Lady Bird Lake Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. Owner/Applicant: Bradley Hoskins. Agent: Keepers Land Planning (Ricca Keepers). City Staff: Nancy Estrada, 512-974-7617. A valid petition has been filed in opposition to this rezoning request.

District(s): District 9

63. NPA-2022-0007.01 - 10810 Newmont Rd - Conduct a public hearing and approve an ordinance amending Ordinance No. 000629-106 the North Austin Civic Association 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 10810 Newmont Road (Little Walnut Creek Watershed) from Single Family to Mixed Use/Office land use. Staff and Planning Commission Recommendation: To grant Mixed Use/Office land use. Owner/Applicant: 10810 Newmont Apartments LLC (Kinereth Polner). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 4

64. C14-2022-0136 - 10810 Newmont Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 10810 Newmont Road (Little Walnut Creek Watershed). Applicant Request: To rezone from single family residence standard lot-neighborhood plan (SF-2-NP) combining district zoning to general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Owner/Applicant: 10810 Newmont Apartments LLC (Kinereth Polner). City Staff: Sherri Sirwaitis, 512-974-3057.

**District(s):** District 4

65. C14-2022-0147 - Linda Vista / Elroy West Industrial Park at Moore's Crossing MUD - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 6807 South FM 973 Road (Onion Creek Watershed). Applicant's Request: To zone from interim-rural residence (I-RR) district zoning and interim-single family residence standard lot (I-SF-2) district zoning to limited industrial services (LI) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial services (LI) district zoning. Owner/Applicant: SRMC Investments, LLC (Bill Gurasich). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Nancy Estrada, 512-974-7617.

**District(s):** District 2

66. 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.
67. C14-2022-0049 - 500 VFW Road - Approve second and third readings of 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. First Reading approved on October 27, 2022. Vote: 11-0. Owner/Applicant: Capital City VFW Post #8787. Agent: Drenner Group, PC (Amanda Swor). City Staff: Heather Chaffin, Housing and Planning Department, 512-974-2122.
68. C14R-81-033(RCA) - Brodie Oaks Restrictive Covenant Amendment - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 4021, 4025, 4107, 4109, 4115, and 4141 South Capital of Texas Highway Northbound; 3940, 4006, 4024 - 4040, 4200, 4220, 4236 South Lamar Boulevard Southbound (Barton Creek Watershed-Barton Springs Zone). Applicant's Request: To amend a public Restrictive Covenant. Staff Recommendation and Planning Commission Recommendation: To amend a public Restrictive Covenant. Owner/Applicant: Lionstone Investments, LCFRE Austin Brodie Oaks LLC (John Schaefer). Agent: Armbrust & Brown, PLLC (Jewels Cain). City Staff: Nancy Estrada, 512-974-7617. This action concerns land located in the Barton Springs Zone.
69. C814-2021-0099 - Brodie Oaks Redevelopment PUD - Approve second reading of an ordinance amending City Code Title 25 by zoning and rezoning property locally known as 4021, 4025, 4107, 4109, 4115, and 4141 South Capital of Texas Highway Northbound; 3940, 4006, 4024 - 4040, 4200, 4220, 4236 South Lamar Boulevard Southbound (Barton Creek Watershed-Barton Springs Zone). Applicant's Request: To establish initial permanent zoning from unzoned and to rezone from community commercial (GR) district zoning, general commercial services (CS) district zoning, and commercial-liquor sales (CS-1) district zoning to planned unit development (PUD) district zoning,

with conditions. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First Reading approved with conditions on December 8, 2022. Vote: 11-0. Applicant: Lionstone Investments, LCFRE Austin Brodie Oaks, LLC (Andrew J. Bruce; John W. Enerson). Agent: Lionheart Places (Rebecca Leonard). City Staff: Nancy Estrada, 512-974-7617. This action concerns land located in the Barton Springs Zone.

70. C14H-2022-0073 - 1122 Colorado Street - Westgate Tower - Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 1122 Colorado Street (Lady Bird Lake Watershed). Applicant's request: To rezone from central business district (CBD) combining district zoning to central business district-historic landmark (CBD-H) combining district zoning. First Reading: Approved central business district-historic landmark (CBD-H) combining district zoning on December 1, 2022, Vote 11-0. Second Reading: Approved central business district-historic landmark (CBD-H) combining district zoning on December 8, 2022, Vote 11-0. Owner: Westgate Condominium Association. Applicant: Brian Evans. City Staff: Kalan Contreras, Housing & Planning Department, 512-974-2727.

71. NPA-2022-0010.03 - Holly Mixed Use - Approve second and third readings of an ordinance amending Ordinance No. 011213-43 the Holly 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 2309 East 2nd Street; 2320 East Cesar Chavez Street; 2315 East 2nd Street; 2403 East 2nd Street; 2405 East 2nd Street; 2409 East 2nd Street; 2411 East 2nd Street (Lady Bird Lake Watershed) from Single Family and Civic to Mixed Use land use. First Reading approved January 26, 2023. Vote: 11-0. Owners/Applicants: 2309 2nd Street/2320 East Cesar Chavez Street: 2324 ECC-Arc LLC, a Delaware limited liability company; 2315 East 2nd Street: 2400 ECC-Arc LLC, a Delaware limited liability company; 2403 East 2nd Street: Steven Yarak, Larry Yarak, Brenda Blair; 2405 East 2nd Street: Danielle Murray; 2409 East 2nd Street: Eleanore Bacon; 2411 East 2nd Street: Ricardo David Rojo. Agent: Armbrust and Brown, PLLC (Ferris Clements), (512) 435-2337. City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 3

72. NPA-2022-0029.01 - 7601 Cameron Road - Approve second and third readings an ordinance amending Ordinance No. 20120426-100 the St. John/Coronado Hills 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 7601 and 7601 1/2 Cameron Road (Buttermilk Branch Watershed) from Commercial to Mixed Use land use. First Reading approved January 26, 2023. Vote: 11-0. Owners/Applicants: Area 51st, LLC. Agent: Drenner Group, PC (Leah M. Bojo), (512) 807-2918. City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 1

73. C14-2022-0094 - 7601 Cameron Road - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7601 and 7601 1/2 Cameron Road (Buttermilk Branch Watershed). Applicant Request: To rezone from community commercial-conditional overlay-neighborhood plan (GR-CO-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. First Reading approved January 26, 2023.  
Vote: 11-0. Owner/Applicant: Area 51st, LLC. Agent: Drenner Group, PC (Leah M. Bojo). City  
Staff: Heather Chaffin, Housing and Planning Department, 512-974-2122.

*District(s):* District 1



## Consent Agenda

### City Clerk

74. Approve an ordinance ordering a special municipal election to be held on May 6, 2023, to submit to the voters a second proposed citizen-initiated ordinance, certified sufficient on January 31, 2023, to enact an “Austin Police Oversight Act” that will strengthen the oversight of Austin police and encourage accountability for officer misconduct; providing for the conduct of the special election; authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the election; and declaring an emergency.

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

75. Approve an ordinance to enact an “Austin Police Oversight Act” that will strengthen the oversight of Austin Police and encourage accountability for officer misconduct.

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

76. Approve an ordinance amending Ordinance No. 20220915-087 ordering a May 6, 2023 special municipal election, to amend the ballot language; and declaring an emergency.

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

### Development Services

77. Approve an ordinance authorizing the building official to exempt certain electrical activities from permit requirements, extending the deadline for certain permit applications, waiving registration requirement for electricians, and declaring an emergency.

Strategic Outcome(s): Government that Works for All; Economic Opportunity and Affordability.

78. Approve an ordinance waiving certain fees and charges in response to the winter weather event; and declaring an emergency.

Strategic Outcome(s): Government that Works for All; Economic Opportunity and Affordability.

### Management Services

79. Approve a resolution extending a Declaration of Local State of Disaster in response to concerns related to imminent threat of widespread and severe property damage, injury, and loss of life due to recent severe winter weather resulting in significant and historic ice accumulations.

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

### Item(s) from Council

80. Approve a resolution concerning bargaining for a meet and confer labor contract with the Austin Police Association.

Sponsors: Council Member José 'Chito' Vela, Council Member Zohaib “Zo” Qadri, Council Member José Velásquez, and Council Member Vanessa Fuentes

81. Approve a resolution directing the City Auditor to conduct a comprehensive audit of the Austin

Energy Vegetation Plan and Austin Energy's response to the February 2023 winter storm event.

**Sponsors:**

Council Member Mackenzie Kelly, Council Member Ryan Alter, Council Member José Velásquez, and Council Member José 'Chito' Vela