



**Thursday, March 9, 2023**

The City Council will convene at 10:00 AM on Thursday, March 9, 2023 at Austin City Hall, 301 W. 2nd Street, Austin, TX and some members may be participating via videoconference



Mayor Kirk Watson  
Mayor Pro Tem Paige Ellis, District 8  
Council Member Natasha Harper-Madison, District 1  
Council Member Vanessa Fuentes, District 2  
Council Member José Velásquez, District 3  
Council Member José "Chito" Vela, District 4  
Council Member Ryan Alter, District 5  
Council Member Mackenzie Kelly, District 6  
Council Member Leslie Pool, District 7  
Council Member Zohaib "Zo" Qadri, District 9  
Council Member Alison Alter, District 10

**Public comment will be allowed in-person or remotely by telephone. Speakers may only register to speak on an item once either in-person or remotely. For full instructions on participation in person or by telephone, please visit the Council Meeting Information Center:**  
**[http://austintexas.gov/departments/city-council/council/council\\_meeting\\_info\\_center.htm](http://austintexas.gov/departments/city-council/council/council_meeting_info_center.htm)**

*The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.*

**All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.**

#### **9:00 AM – Proclamations**

Proclamation – Equal Pay Day – To be presented by Council Member Alison Alter

Distinguished Service Award – Christopher Kennedy – To be presented by Council Member Alison Alter and to be accepted by Christopher Kennedy, CEO and Board Chair of Leadership Austin

Proclamation – The National Week of Prayer for the Healing of AIDS – To be presented by Council Member José Velásquez

#### **10:00 AM – City Council Convenes**

#### **Consent Agenda**

##### **Approval of Minutes**

1. Approve the minutes of the Austin City Council work session of February 21, 2023 and regular meeting of February 23, 2023.

##### **Emergency Medical Services**

2. Approve an ordinance amending City Code Chapter 10-2 (Emergency Medical Services) to remove references to the Austin Travis County Emergency Medical Services Advisory Board (Board), reassign the duties of the Board, and repeal an obsolete section.

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

3. Authorize negotiation and execution of an amendment to the interlocal agreement with Travis County to provide emergency medical services in areas of Travis County outside the City's corporate limits and dispatch support services to Travis County's STAR Flight program, in exchange for payment by Travis County.

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

##### **Financial Services- Contracts**

4. Authorize execution of a contract for shoebox style luminaires and poles with Techline, Inc., for a term of five years in an amount not to exceed \$750,000.

[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):** Government that Works for All.

5. Authorize negotiation and execution of two contracts for three-phase power transformers with Delta Star, Inc. and Texas Electric Cooperatives, each for up to five years for a total contract amount not to exceed \$60,000,000, divided between the contractors.

[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.

6. Authorize negotiation and execution of a contract for school-based energy conservation education with AM Conservation Group, Inc., for a term of five years for a total contract amount not to exceed \$2,000,000.

[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) and subcontractor goals were applied to the solicitation. The recommended contractor provided sufficient evidence of good faith efforts and the resulting contract will include 5.40% WBE participation].

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

7. Authorize negotiation and execution of two contracts for voltage transformers with Priester-Mell & Nicholson, Inc. and Wesco Distribution, Inc. d/b/a Hi-Line Utility Supply Co., LLC a/k/a Power Supply, each for up to five years for total contract amounts not to exceed \$8,000,000, divided between the contractors.

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

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

8. Authorize negotiation and execution of a cooperative contract for consulting services for the Greater Austin-Travis County Regional Radio System with Mission Critical Partners, LLC for up to three years for a total contract amount not to exceed \$1,000,000.

[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 services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

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

9. Authorize negotiation and execution of a contract for design and development of a secure web-based database and survey platform with Michelle Marshall d/b/a Geospatial Creative, LLC for a term of one year in an amount not to exceed \$100,000.

[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.

10. Authorize negotiation and execution of four cooperative contracts for pharmaceuticals and medical supplies with McKesson Medical-Surgical, Inc., Henry Schein, Inc., Cardinal Health, and Concordance Healthcare Solutions, LLC, each for a term of five years in an amount not to exceed \$5,010,000, 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):** Health and Environment.

11. Authorize negotiation and execution of a contract for workforce development and land management activities associated with the maintenance of public natural lands with American YouthWorks, for a term of one year in an amount not to exceed \$2,355,000.

[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):** Health and Environment, Government that Works for All.

12. Authorize negotiation and execution of a contract for water loss program review, analysis, and optimization with Black & Veatch Corporation, for a term of one year in an amount not to exceed \$200,000.

[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 services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

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

13. Authorize negotiation and execution of Work Authorization No. 1 under a service contract with CBRE, Inc. for facility space programming and analysis, financial analysis, and real estate brokerage services for City facilities, increasing the contract amount not to exceed \$955,000 and the term for a total contract amount not to exceed \$1,243,000.

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

14. Authorize negotiation and execution of all documents and instruments necessary or desirable for the acquisition of a wastewater line easement comprising approximately 7,304 square feet (0.16 acre) and temporary working space easement comprising approximately 1,426 square feet (0.03 acre), being out of and a portion of Tract 1, First Resubdivision of The Brook, a subdivision of record in Book 62, Page 47, Plat Records of Travis County, Texas, located at 1824 S. Interstate Highway 35, Austin, Texas, 78741, from Brook Apartments, L.L.C., a Texas limited liability company, for a total amount not to exceed \$222,700, including closing costs.

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

**District(s):** District 9

15. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple the property, located at 304 Cedarbrook Court, Austin, TX, 78753, 0.23 acres (approximately 9,940 square feet) of land from Wesley Powell and Devin Hennen in an amount not to exceed \$756,400, including closing costs, establishing acquisition and relocation guidelines, and waiving requirements of City Code Chapter 14-3 (Relocation Benefits).

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

**District(s):** District 7

## **Housing and Planning**

16. Approve a resolution accepting the Equitable Transit-Oriented Development (ETOD) Policy Plan; incorporating ETOD Policy Plan tools for the stations within the boundaries of the Northeast Austin District planning process; initiating amendments to Imagine Austin Comprehensive Plan to adopt elements of the ETOD Policy Plan; and initiating amendments to City Code Title 25.

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

## **Management Services**

17. Approve a resolution extending the current collective bargaining agreement between the City and the Austin Firefighters Association.

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

## **Parks and Recreation**

18. Authorize negotiation and execution of an interlocal agreement with Austin Community College District to provide HVAC and potentially other workforce training classes to the Austin community free of charge at the Turner-Roberts Recreation Center.

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

**District(s):** District 1

## **Police**

19. Approve an ordinance creating temporary navigation control zones on Lake Austin during the PGA Tour World Golf Championships-Dell Technologies Match Play event, and creating an offense.

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

## **Public Health**

20. 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 \$60,000 in grant funds from the Texas Division of Emergency Management for the Montopolis Equitable Response and Recovery Project.

Strategic Outcome(s): Health and Environment.

## Public Works

21. Approve a resolution authorizing negotiation and execution of interlocal agreements with the Texas Department of Transportation to review the design and support federal environmental clearance for the three segments of the Bergstrom Spur Urban Trail: Bergstrom West (Vinson Drive to South Congress Avenue); Bergstrom Central (South Congress Avenue to Todd Lane); and Bergstrom East (Todd Lane to East Riverside Drive).

Strategic Outcome(s): Mobility.

District(s): District 2; District 3; District 5

## Transportation

22. Approve an application to create a Parking and Transportation Management District (PTMD) and an ordinance establishing a South Congress Area PTMD.

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

District(s): District 3; District 9

## Item(s) from Council

23. 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; amendments to board and commission bylaws; and approve an ordinance waiving Subsections (B) and (C) of City Code Section 2-1-22 (Membership Term and Limitation) for the individuals specified in the Ordinance.

24. 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

25. Approve a resolution directing the City Manager to establish a charter review commission to propose amendments to the City Charter including, but not limited to, changes in petition requirements.

Sponsors: Council Member Ryan Alter, Mayor Kirk Watson, Mayor Pro Tem Paige Ellis, Council Member Alison Alter, and Council Member Natasha Harper-Madison

26. Approve a resolution related to restarting the Austin Police Department's Citizen Police Academy.

Sponsors: Council Member Mackenzie Kelly, Mayor Pro Tem Paige Ellis, Council Member Alison Alter, Council Member Ryan Alter, and Council Member José Velásquez

27. Approve a resolution directing the City Manager to create a plan to increase the number of direct-current fast charging stations for electric vehicles equitably throughout the City.

Sponsors: Council Member Leslie Pool, Mayor Kirk Watson, Council Member Zohaib "Zo" Qadri, Council Member José 'Chito' Vela, and Council Member Alison Alter

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

28. Set a public hearing to consider an ordinance adopting Local Standards of Care for the Parks and Recreation Department's Youth Programs. (Suggested date and location: April 13, 2023, at Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701.  
Strategic Outcome(s): Health and Environment, Culture and Lifelong Learning.
29. Set a public hearing to receive citizen input on community needs concerning the City's Fiscal Year 2023-2024 Action Plan, as required by the U.S. Department of Housing and Urban Development and Texas Local Government Code Chapter 373 for the City's application for federal funding. (Suggested date: March 23, 2023, at Austin City Hall, 301 West 2nd Street, Austin, Texas 78701).  
Strategic Outcome(s): Economic Opportunity and Affordability.
30. Set a public hearing related to an application by AHFC-FC Norman Housing, 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 Norman Commons, located at or near 3811 Tannehill Lane, Austin, Texas 78723, within the City. (Suggested date: Thursday, March 23, 2023, City Hall, 301 West 2nd Street, Austin, Texas 78701).  
Strategic Outcome(s): Economic Opportunity and Affordability.  
District(s): District 1
31. Set a public hearing related to an application by The Rhett, LP, or an affiliated entity, for housing tax credits for a multi-family development to be financed through the private activity bond program to be known as The Rhett, located at or near 1000 East Yager Lane, Austin, Texas 78753, within the City. (Suggested date: Thursday, March 23, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).  
Strategic Outcome(s): Economic Opportunity and Affordability.  
District(s): District 1
32. Set a public hearing to consider an ordinance amending City Code Title 25 relating to mitigation of wildfire risk. (Suggested date: Thursday, April 13, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas 78701).  
Strategic Outcome(s): Government that Works for all; Health and Environment; Mobility; Safety.

### Non-Consent

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

33. 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/2023/20230309-ahfc.htm>)

### Public Hearings and Possible Actions

34. Conduct a public hearing and consider a resolution in accordance with Texas Parks and Wildlife Code Chapter 26 to authorize a change in use of dedicated parkland, known as Pioneer Crossing

Neighborhood Park to enable the Austin Transportation Department to construct and use approximately 9,574 square feet of permanent drainage easements as part of the East Braker Lane extension project. (Location: Austin City Hall, 301 W. Second Street, Austin, TX 78701.

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

District(s): District 1

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

Richard Viktorin - Back to Basics Government: Tax Skims, Venture Cash and the Circuit of the Americas - How Senator Watson's SB1515 intended \$290 million in public resources for the ledgers of McCombs Partners and Prophet Capital.

Silver Whitemountain - right on red lights... No right on red

Owen Shroyer - Winter Storm/Power Outages

Yvonne Weldon - Homelessness in District 3

Ben Frasca - Public Safety

Carole Berthelot - I have been living in my neighborhood for 3 years, in December I heard an unusual noise (high pitched hissing) from the Nitrogen plant (Pressure gas - Air products N2 plant) of a big company in my neighborhood. The noise last day and night for several day in a row. I recorded it and with an app I found that it was over 95 decibels. Since January 2023, I tried to alert the Austin Code department, I call 311, I called my officer district representative and the police headquarter and I also met a Senior Manager from this big company, but nobody seem to want to do something. Some people told me " you know it's a big company, so they know what they are doing" or "they are here for ever so we can't do nothing" . the noise appear in December so it's something new, and it is still here. So because it's a high pitched noise after 2 days and nights in a row you feel stressed, anxious. the noise make you crazy even with ear plugs and my windows close I still hear it , it's a health situation and it can also be a safety issue. Since beginning of January it was audible 26 days and 30 nights over a total of 52 days. Even if it's a big company, they have to respect the Noise Ordinance found in Chapter 9-2 of the City of Austin Codes and Ordinances, and the police or any employee of Austin city should do everything they could to enforce this ordinance.

Gary Babatz - When it comes to transit oriented development, it's beyond time to think BIG.

Frances Acuna - Environmental Justice (Creeks)

Rick Krivoniak - Resolutions from the Robert Mueller Municipal Airport Plan Implementation Advisory Commission and the Windsor Park Neighborhood Plan

Dessa Davis – Continuous Improvements

## **Live Music**



## Executive Session

35. Discuss the employment, duties, and evaluation of the Interim City Manager (Personnel matters - Section 551.074 of the Government Code).
36. Discuss personnel and legal issues related to the search for and appointment of a new city manager (Private consultation with legal counsel - Section 551.071 of the Government Code and Personnel matters - Section 551.074 of the Government Code).

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

37. NPA-2022-0021.02 - Burleson & Ben White - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055, the East Riverside/Oltorf (Parker Lane) 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 3507 Burleson Road (Country Club West Watershed) from Single Family, Office and Commercial to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed February 28, 2023. Owner/Applicant: Stoneridge Capital Partners, LTD. Agent: Dunaway Associates (Vanessa Mendez). City Staff: Kathleen Fox, 512-974-7844.

District(s): District 3

38. C14-2022-0203 - Riverside and Vargas - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6610 East Riverside Drive (Carson Creek Watershed). Applicant's Request: To rezone from East Riverside Corridor (ERC-Corridor Mixed Use Subdistrict) district zoning and East Riverside Corridor (ERC-Neighborhood Mixed Use Subdistrict) district zoning to East Riverside Corridor (ERC-Corridor Mixed Use Subdistrict) district zoning, and to amend Figure 1-6 (East Riverside Corridor Hub Map) to include the entire lot in the Hub boundary, to Figure 1-7 (East Riverside Corridor Height Map) to designate the entire lot as 60 feet for an allowable height, and to Figure 1-8 (East Riverside Corridor Development Bonus Height Map), to increase the maximum building height up to 120 feet through participation in a density bonus program. Staff Recommendation: To grant East Riverside Corridor (ERC-Corridor Mixed Use Subdistrict) district zoning, and to amend Figure 1-6 (East Riverside Corridor Hub Map) to include the entire lot in the Hub boundary, to Figure 1-7 (East Riverside Corridor Height Map) to designate the entire lot as 60 feet for an allowable height, and to Figure 1-8 (East Riverside Corridor Development Bonus Height Map), to increase the maximum building height up to 120 feet through participation in a density bonus program. Planning Commission Recommendation: To be reviewed on February 28, 2023. Owner/Applicant: East Riverside Drive UP, LLC (Shawn A.J. Gross). Agent: Drenner Group, PC (Amanda Swor). City Staff: Nancy Estrada, 512-974-7617.

District(s): District 3

39. C14-2022-0168 - Jollyville Oak Liquor Cabinet - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 12029 and 12041 Jollyville Road (Walnut Creek Watershed). Applicant Request: To zone from limited office (LO)

district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To deny commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To forward without a recommendation due to lack of an affirmative vote. Owner/Applicant: Raju Malik and Sandeep Kaur. Agent: Husch Blackwell LLP (Micah King). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

40. C14-2022-0170 - Dessau Ridge Development - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 1509 Dessau Ridge Lane (Harris Branch Watershed). Applicant Request: To zone from limited office-conditional overlay (LO-CO) combining district zoning to multifamily residence medium density (MF-3) district zoning. Staff Recommendation: To grant multifamily residence medium density (MF-3) district zoning. Zoning and Platting Commission Recommendation: To grant multifamily residence medium density-conditional overlay (MF-3-CO) combining district zoning. Owner/Applicant: Delta LTE LLC. Agent: ZIF Capital LLC (Zain Fidai). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

41. 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

42. 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

## Adjourn

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than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

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