



# 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, March 21, 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**

None

**C. Council Items of Interest**

None

**D. Council Discussion**

None

**E. Executive Session**

- E1.** Discuss legal issues related to state and federal gun regulations (Private consultation with legal counsel - Section 551.071 of the Government Code).
- E2.** Discuss legal issues related to Acuna et al v. City of Austin et al, Cause No. D-1-GN-19-008617 in the 201st Judicial District of Travis County, Texas (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 work session of March 7, 2023, and regular meeting of March 9, 2023.

### Austin Energy

2. Authorize negotiation and execution of all documents and instruments necessary to acquire an easement for chilled water facilities across Lot 1, Block B, Mueller Section III Subdivision, a subdivision of Travis County, Texas, according to the map or plat thereof recorded under Document No. 200500279 of the Official Records of Travis County, Texas, located at 1401 Philomena Street, Austin, Texas, from Philomena Street Investor, LLC, for an amount not to exceed \$230,000.

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

### City Clerk

3. Approve an ordinance amending City Code Chapter 4-8 (Regulation of Lobbyists), related to registration and late filing fees.

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

### Economic Development Department

4. Authorize negotiation and execution of a parking agreement with AMLI Austin Retail, L.P., AMLI Downtown Austin, L.P., and PPF AMLI 421 West 3rd Street, L.P. related to parking validations in the City Hall garage for retail customers connected with the 2nd Street District.

Strategic Outcome(s): Economic Opportunity and Affordability, Mobility.

District(s): District 9

### Financial Services

5. Approve an ordinance to suspend a Gas Reliability Infrastructure Program interim rate adjustment proposed by Texas Gas Service Company.

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

6. Approve an ordinance authorizing the issuance and sale of City of Austin, Texas, Electric Utility System Revenue Refunding and Improvement Bonds, Series 2023 (Series 2023 Bonds), in a par amount not to exceed \$505,000,000, in accordance with the parameters set out in the ordinance; authorizing related documents; approving the payment of costs of issuance; and providing that the issuance and sale be accomplished by September 22, 2023.

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

### Financial Services- Contracts

7. Authorize execution of a construction contract for the Airport Expansion and Development Program

Building Demolition project with STR Constructors, LLC, in the amount of \$3,482,852 plus a \$522,428 contingency, for a total contract amount not to exceed \$4,005,280.

[Note: This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 26.87% DBE].

Strategic Outcome(s): Safety, Mobility.

District(s): District 2

8. Authorize execution of a contract for centrifuge maintenance services with RPM Services, Inc., for a term of five years in an amount not to exceed \$2,625,000.

[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 insufficient subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Health and Environment.

9. Authorize execution of a contract for liquid ammonium sulfate with Chemtrade Chemicals US LLC, for a term of five years in an amount not to exceed \$1,500,000.

[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.

10. Authorize negotiation and execution of a contract for parts and repair services for the process air blower with Howden USA Company for a total amount not to exceed \$150,000.

[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 Safety.

11. Ratify three construction contracts for the Pecan Gardens and Northbridge Shelters emergency repairs with Belfor USA Group, Inc., in a total amount not to exceed \$510,312.

[Note: These contracts were awarded in compliance with (Minority Owned and Women Owned Business Enterprise Procurement Program) pursuant to MBE/WBE Program Rule Subsection 1.2.1(I), these procurements are exempt from the Owner's MBE/WBE Program requirements as public health and safety purchases as provided in the MBE/WBE Program Rules].

Strategic Outcome(s): Economic Opportunity and Affordability, Health and Environment.

District(s): District 6

12. Authorize execution of a construction contract for Austin Film Society Lead Remediation with 1

Priority Environmental Services, LLC for a total contract amount not to exceed \$169,660.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). No goals were established for this solicitation].

Strategic Outcome(s): Safety, Health and Environment.

District(s): District 9

13. Authorize negotiation and execution of a contract for licenses and equipment to support station alerting systems with Locution Systems, Inc., for up to three years for a total contract amount not to exceed \$750,000.

[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.

14. Authorize an amendment to a contract for continued forensic analysis of biological evidence with Signature Science LLC, to increase the amount by \$617,955 for a revised total contract amount not to exceed \$6,469,955.

[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): Safety.

15. Authorize execution of two contracts for sodium hypochlorite with DPC Industries, Inc., and PVS Minibulk, Inc., each for a term of five years for a total contract amount not to exceed \$15,500,000, 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 an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established].

Strategic Outcome(s): Health and Environment.

16. Authorize execution of a contract for reinforcing steel with Triple S Steel Holdings d/b/a Alamo Ironworks, for up to five years for a total contract 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): Government that Works for All.

17. Authorize negotiation and execution of a contract for parts and services to recondition a 72-inch screw pump with EWT Holdings III Corp. d/b/a Evoqua Water Technologies, LLC in an amount

not to exceed \$125,000.

[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, Safety.

18. Authorize execution of a contract for sodium chloride with TR International Trading Company, for a term of five years in an amount not to exceed \$1,680,000.

[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.

19. Authorize execution of a contract for liquid sulfur dioxide with DXI Industries, Inc., for a term of five years in an amount not to exceed \$4,240,000.

[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.

20. Authorize negotiation and execution of a cooperative contract for original equipment manufacturer parts, repair services, and preventive maintenance for City-owned Vermeer vacuum trucks and equipment with Vermeer Equipment of Texas, Inc., d/b/a Vermeer Texas - Louisiana, for up to 33 months for a total contact amount not to exceed \$250,500.

[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): Mobility.

21. Authorize negotiation and execution of a cooperative contract for three unmanned robotic vehicles with ICOR Technology, Inc. in an amount not to exceed \$351,894.

[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): Safety.

22. Authorize amendments to 13 contracts for continued language interpretation services with Catholic Charities, Diocese of Fort Worth, Inc., d/b/a Translation and Interpretation Network, Interpreters

Unlimited, Language Line Services, Inc., d/b/a Language Line Services or Language Line Solutions, MasterWord Services, Inc., Susana Pimiento Chamorro d/b/a Language Access Austin, Shun Tong d/b/a Sharon Tong, Voiance Language Services LLC, Jacqueline Mancilla, Caritas of Austin, Sandra Marchi d/b/a American International Translators, Bruxelles, Inc., d/b/a Inlingua Language Services, and Vung Dokhen Cing d/b/a Vung DK Cing, to increase in the amount of \$800,000 for a revised total contract amount not to exceed \$2,662,000, divided among the contractors.

[Note: These contracts 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 contracts, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

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

23. Authorize negotiation and execution of a contract for restorative justice practices with Life Anew, Inc., d/b/a Life Anew Restorative Justice, Inc., for up to three years for a total contract amount not to exceed \$444,260.

[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): Government that Works for All.

24. Authorize an amendment to a contract for continued review of the Austin Police Department regarding the Austin Police Department Training Academy audit and long-term process assessment with Kroll Associates, Inc., d/b/a Kroll, to increase the amount by \$350,000 and extend the term by one year, for a revised total contract amount not to exceed \$2,375,000.

[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): Safety.

25. Authorize negotiation and execution of a cooperative contract for Axon Fleet 3 products and services with Axon Enterprise, Inc., for up to 10 years for a total contract amount not to exceed \$17,500,000.

[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 no subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Safety.

26. Authorize negotiation and execution of a cooperative contract to provide consulting services for strategic plan development with ISF, Inc., for a term of one year in an amount not to exceed \$500,000.



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

27. Authorize negotiation and execution of a 60-month lease agreement with Emancipet, Inc., a Texas non-profit corporation, for approximately 28,000 square feet of space at 7201 Levander Loop, Buildings I & K, Austin, Texas 78702 for an annual lease rate of \$100.

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

**District(s):** District 3

28. Authorize execution of a construction contract for Duncan Neighborhood Park project, with Muniz Concrete & Contracting, Inc., in the amount of \$1,240,576 plus \$148,000 contingency for a total contract amount not to exceed \$1,388,576.

[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 20.48% MBE and 1.60% WBE participation].

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

**District(s):** District 9

29. Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire in fee simple approximately 3.24 acres of land out of Lot 8, Joseph Clayton Subdivision, according to the map or plat thereof, recorded in Volume 61, Page 42, Plat Records, Travis County, Texas, located at 901 Ruby Drive Austin, Texas, 78753 from Wanda Jean Grieger, for a total amount not to exceed \$935,000, including closing costs.

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

**District(s):** District 1

30. Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire in fee simple approximately 0.19 acres of land out of Lot No. 31, in Flournoy Heights Section Three, a subdivision out of Outlot No. 18 1/2, in Division B, according to the plat thereof, recorded in Volume 30, Page 2, of the Plat Records of Travis County, Texas, located at 1401 Waldorf Avenue, Austin, Texas, 78721, from Malcolm H. Flournoy, Jr. and Karen M. Flournoy in an amount not to exceed \$415,000, including closing costs.

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

**District(s):** District 1

31. Authorize negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple approximately 26 acres and improvements located at 14910 Cameron Road in Travis County, Texas, from TC Resiliency, LLC in an amount not to exceed \$79,500,000 including closing costs.

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

32. Authorize execution of a construction contract for the Burnet Road Corridor - AE Kramer Site



Drainage project with M.A. Smith Contracting Co., Inc., in the amount of \$12,088,427 plus a \$1,813,265 contingency, for a total contract amount not to exceed \$13,901,692.

[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 7.21% MBE and 2.08% WBE participation].

Strategic Outcome(s): Mobility.

District(s): District 7

33. Authorize amendments to two contracts for continued Advanced Meter Infrastructure systems, including meters, meter installation, a data platform, and customer portal with Meter Reading Holding, LLC d/b/a Aclara Technologies, LLC or Aclara Smart Grid Solutions, LLC and with Vertex U.S. Holdings, Inc., d/b/a VertexOne Software LLC or Watersmart Software, Inc., to increase the amount by \$7,934,000 for a revised total contract amount not to exceed \$103,000,000, divided between the contractors.

[Note: These contracts were 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. Subcontractor goals were exceeded, and the resulting contracts will include 18.84% MBE and 32.41% WBE for the advanced meter infrastructure category and 21.10% WBE participation for the meter installation category].

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

34. Authorize negotiation and execution of two cooperative contracts for the purchase of an Airbus H125 helicopter, helicopter equipment, and completion services, with Helicopter Services, Inc. in an amount not to exceed \$5,325,945.

[Note: These procurements 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 procurements, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

Strategic Outcome(s): Safety.

35. 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

## **Homeland Security & Emergency Management**

36. Approve a resolution extending a Declaration of Local State of Disaster in response to concerns

related to the 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): Safety.

## **Housing and Planning**

37. Approve a resolution appointing a member to the boards of directors of Southeast Travis County Municipal Utility District #1, Southeast Travis County Municipal Utility District #2, Southeast Travis County Municipal Utility District #3, Southeast Travis County Municipal Utility District #4, Pilot Knob Municipal Utility District #2, Pilot Knob Municipal Utility District #3, and Pilot Knob Municipal Utility District #5 as provided for in the consent agreement between the City and each respective district.

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

## **Law**

38. Authorize the execution of a settlement agreement with Spectrum Gulf Coast, LLC settling all claims of the parties in City of Allen, Texas et al., v. Time Warner Cable Texas, LLC d/b/a Spectrum and Charter Communications, Case No. 6:19-cv-345-ADA-DTG.

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

39. Authorize increases to professional services agreements related to the binding interest arbitration proceeding between the City and the Austin Firefighters Association, including legal services with Dykema Gossett PLLC, consulting services with PFM Group Consulting LLC, and arbitration services with Ogletree Deakins, in the aggregate amount not to exceed \$390,000.00, for a total contract amount for all three agreements not to exceed \$1,015,000.00.

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

## **Library**

40. Adopt the Austin Public Library long-range Strategic Plan, including a facilities plan outlining initiatives and goals through 2028 in accordance with Imagine Austin.

Strategic Outcome(s): Culture and Lifelong Learning.

## **Parks and Recreation**

41. Approve an ordinance amending the Fiscal Year 2022-2023 Parks and Recreation Department Capital Budget (Ordinance No. 20220817-004) to increase appropriations in the amount of \$1,422,539 for historic restoration and preservation purposes.

Strategic Outcome(s): Culture and Lifelong Learning.

42. Authorize execution of an amendment to the Parkland Improvement, Donation, and Maintenance Agreement with the Hill Country Conservancy for construction of the Circle C Metropolitan Park segment of the Violet Crown Trail system, to be managed by the Hill Country Conservancy in an amount not to exceed \$2,100,000.

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

**Public Health**

43. Authorize negotiation and execution of an interlocal agreement with the Texas Health and Human Services Commission for the Community Partner Program to help residents apply electronically for program benefits through the Your Texas Benefits website for a four-year term.

Strategic Outcome(s): Health and Environment.

44. 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 \$83,720 in additional grant funds from the Texas Department of Housing and Community Affairs for the Homeless Housing and Services Program, Homeless Youth Set-Aside.

Strategic Outcome(s): Economic Opportunity and Affordability.

45. 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 \$38,000 in grant funds from the Texas Department of State Health Services from the Centers for Disease Control and Prevention to reduce tobacco-related health disparities among Lesbian, Gay, Bi-sexual, Transgender, Queer+ communities.

Strategic Outcome(s): Health and Environment.

46. Authorize negotiation and execution of Amendment No. 1 to the agreement with the Austin Independent School District to provide afterschool programming for youth, to add funding in an amount not to exceed \$662,032 to the current term of October 1, 2022, to September 30, 2023, and an amount not to exceed \$150,000 for each of the four 12-month renewal options, for a revised total agreement amount not to exceed \$6,440,461.

Strategic Outcome(s): Economic Opportunity and Affordability.

47. Authorize negotiation and execution of Amendment No. 1 to the interlocal agreement with the Austin Independent School District to provide tutoring and academic support for youth, to add funding in an amount not to exceed \$27,223 for the term of October 1, 2022, to September 30, 2023, for a revised total agreement amount not to exceed \$1,081,712.

Strategic Outcome(s): Economic Opportunity and Affordability.

48. Authorize negotiation and execution of Amendment No. 1 to the agreement with Youth and Family Alliance d/b/a LifeWorks to provide services to unaccompanied homeless youth and homeless young adults 24 years of age and younger, to add funding in an amount not to exceed \$83,720, for a revised total contract amount not to exceed \$248,764.

Strategic Outcome(s): Economic Opportunity and Affordability, Health and Environment.

49. 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 \$1,362,281 in additional grant funds from the Texas Health and Human Services Commission and add 3.0 full-time equivalent positions for the Special Supplemental Nutrition Program for Women, Infants, and Children.

Strategic Outcome(s): Health and Environment.

50. Authorize negotiation and execution of an amendment to the interlocal agreement with Travis County for the City's provision of public health services, for a six-month term beginning April 1, 2023, in an amount not to exceed \$4,500,000 to be paid to the City.

Strategic Outcome(s): Health and Environment.

## **Public Works**

51. Authorize negotiation and execution of an amendment to the Interlocal Cooperation Agreement (ILA) with Capital Metropolitan Transportation Authority (Capital Metro) for the cooperative development and construction of accessible sidewalks and associated pedestrian improvements at and in the vicinity of Capital Metro bus stops, to extend the agreement to November 22, 2029, and set Capital Metro's contribution to \$500,000 per year for a total of \$3,000,000

Strategic Outcome(s): Health and Environment, Mobility.

## **Transportation**

52. Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for the Highway Safety Improvement Program, traffic signal project on Dessau Road at Childress Drive for a total estimated project cost of \$854,693 with the City's share of the costs estimated to be \$250,000 plus any cost overruns.

Strategic Outcome(s): Mobility, Safety.

District(s): District 1; District 4

53. Authorize negotiation and execution of an amendment to an Advance Funding Agreement with the Texas Department of Transportation for the Loop 360 corridor intersections at Courtyard Drive and Spicewood Springs Road to reduce the total agreement amount from \$46,000,000 to \$34,000,000.

Strategic Outcome(s): Mobility, Safety.

District(s): District 10

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

54. 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 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.
55. Approve an ordinance waiving or reimbursing certain fees for a memorial service at Fiesta Gardens held on March 7, 2023.
- Sponsors: Council Member José Velásquez, Zohaib "Zo" Qadri, Council Member Vanessa Fuentes, José "Chito" Vela, and Mayor Kirk Watson
56. Approve a resolution directing the City Manager to explore possible Code amendments, safety standards, and other regulations to improve organization and management infrastructure for shared micro-mobility devices.

**Sponsors:** Council Member Mackenzie Kelly, José "Chito" Vela, Zohaib "Zo" Qadri, and Mayor Kirk Watson

57. Approve a resolution relating to the creation of a technical advisory body to improve the process of reviewing and updating technical criteria manuals to meet the city's ongoing housing needs.

**Sponsors:** Council Member Ryan Alter, Mayor Pro Tem Paige Ellis, Zohaib "Zo" Qadri, and Council Member Leslie Pool

58. Approve a resolution directing the City manager to encourage the use of underground electric lines in areas where the City is planning capital projects in the public right-of-way.

**Sponsors:** Council Member Vanessa Fuentes, Council Member Ryan Alter, José "Chito" Vela, and Mayor Pro Tem Paige Ellis

59. Approve a resolution directing the City Manager to provide recommendations for aligning the City's preservation incentive programs for historic properties with the Equity Based Preservation Plan.

**Sponsors:** Zohaib "Zo" Qadri, Council Member Ryan Alter, José "Chito" Vela, Mayor Pro Tem Paige Ellis, and Council Member José Velásquez

60. Approve a resolution directing the City Manager to perform an inventory of emergency generators and assess the operational functionality of emergency back-up power at Austin Fire Department and Austin-Travis County Emergency Services stations.

**Sponsors:** Mayor Pro Tem Paige Ellis, Council Member Alison Alter, Council Member Vanessa Fuentes, and Council Member Natasha Harper-Madison

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

61. Set a public hearing to consider an ordinance releasing 48 acres of Austin's extraterritorial jurisdiction near 15416 Littig Road, adjacent to Manor, Texas. Case number: CETJ-2022-0002. (Suggested date: Thursday, April 13, 2023, Austin City Hall, 301 West 2nd Street, Austin, Texas 78701).

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

#### **Non-Consent**

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

62. 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/2023/20230323-ahfc.htm>).

##### **Austin Housing Public Facility Corporation Meeting**

63. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Public Facility Corporation. Following adjournment of the AHPFC Board meeting the City Council will reconvene. (The AHPFC agenda is temporarily located at <https://www.austintexas.gov/department/city-council/2023/20230323-ahpfc.htm>).

## **Public Hearings and Possible Actions**

64. 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 #74 and #75.  
Strategic Outcome(s): Health and Environment; Safety; Economic Opportunity and Affordability.
65. Conduct a public hearing to receive citizen input on community needs for the City's Fiscal Year 2023-2024 Action Plan that will be submitted to the U.S. Department of Housing and Urban Development as part of the City's application for federal funding.  
Strategic Outcome(s): Economic Opportunity and Affordability.
66. Conduct 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 and to be known as The Rhett, located at or near 1000 East Yager Lane, Austin, Texas 78753, within the city. (Related to Item #67).  
Strategic Outcome(s): Economic Opportunity and Affordability.  
District(s): District 1

## **Items Associated with Public Hearings**

67. Consider a resolution related to the allocation of housing tax credits and private activity bonds and the application by The Rhett, LP, or an affiliated entity, for a proposed development to be located at or near 1000 East Yager Lane, Austin, Texas 78753, within the city, and financed through the private activity bond program. (Related to Item #66).  
Strategic Outcome(s): Economic Opportunity and Affordability  
District(s): District 1

## **Executive Session**

68. Discuss legal issues related to state and federal gun regulations (Private consultation with legal counsel - Section 551.071 of the Government Code).
69. Discuss legal issues related to Acuna et al v. City of Austin et al, Cause No. D-1-GN-19-008617 in the 201st Judicial District of Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

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

70. C14-2022-0070 - Springdale Commercial Tract 2 Amended - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1005 Springdale Road (Boggy Creek Watershed). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To grant general commercial



services-neighborhood plan (CS-NP) combining district zoning. Planning Commission Recommendation: To be reviewed March 14, 2023. Owner/Applicant: 809 Vargas LC. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Joi Harden, 512-974-1617.

District(s): District 3

71. C14-2022-0015 - Springdale Commercial Tract 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1113 Airport Boulevard (Boggy Creek Watershed). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and Rural Residence-Neighborhood Plan (RR-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To grant general commercial services-neighborhood plan (CS-NP) combining district zoning. Planning Commission Recommendation: To be reviewed March 14, 2023. Owner/Applicant: 809 Vargas LC. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Joi Harden, 512-974-1617.

District(s): District 3

72. 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 March 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

73. 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 March 28, 2023. Owner/Applicant: Alpha Builders (Gino Shvetz). Agent: Bennett Consulting (Rodney K. Bennett). City Staff: Nancy Estrada, 512-974-7617.

District(s): District 3

74. 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.



District(s): District 5

75. C814-2021-0099 - Brodie Oaks Redevelopment PUD - Approve second and third readings 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.

District(s): District 5

76. C14-2022-0142 - Birgani's Property -Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 12604 Blackfoot Trail (Rattan Creek Watershed). Applicant Request: To zone from single family-large lot (SF-1) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant limited office-mixed use (LO-MU) combining district zoning. Zoning and Platting Commission Recommendation: To grant single-family-standard lot (SF-2) district zoning. Owner/Applicant: Abraham Birgani. City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning case.

District(s): District 6

77. C14-2022-0167 - Parmer Field - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 710 Performance Drive and 13000 and 13106 ½ Harris Ridge Boulevard (Harris Branch Watershed). Applicant Request: To zone from limited industrial-planned development area (LI-PDA) combining district zoning to limited industrial-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. Owner/Applicant: Karlin McCallen Pass, LLC (Matthew Schwab). Agent: Armbrust & Brown, PLLC (Richard T. Suttle). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

78. C14-2022-0173 - Stillhouse II Building 4 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4601 Spicewood Spring Road, Building 4 (Bull Creek Watershed). Applicant Request: To rezone from general office-conditional overlay (GO-CO) combining district zoning to general office-conditional overlay (GO-CO) combining district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general office-conditional overlay (GO-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: The Muskin Company (Alan and Ellen Muskin). Agent: Hector Avila. City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 10

79. C14-2022-0076 - 3100 Guadalupe St - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3100 Guadalupe Street (Waller Creek Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Owner/Applicant: Leigh Family Trust (Alice G. Kaspar, Trustee). Agent: Drenner Group, PC (Amanda Swor). City Staff: Nancy Estrada, 512-974-7617.

District(s): District 9

80. NPA-2022-0015.07.SH - Norman Commons - Conduct a public hearing and approve an ordinance amending Ordinance No. 021107-Z-11 the East MLK 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 3811 1/2 Tannehill Lane (Fort Branch Creek and Walnut Creek Watershed) from Civic to Multifamily Residential land use. Staff and Planning Commission Recommendation: To grant Multifamily Residential land use. Owner/Applicant: Austin Housing Finance Corporation. Agent: Foundation Communities (Anna Lake-Smith). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695.

District(s): District 1

81. C14-2022-0122.SH - Norman Commons - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3811 1/2 Tannehill Lane (Fort Branch Creek and Walnut Creek Watersheds). Applicant's Request: To rezone from public-neighborhood plan (P-NP) combining district zoning to multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant multifamily residence moderate-high density-neighborhood plan (MF-4-NP) combining district zoning. Owner/Applicant: Austin Housing Finance Corporation. Agent: Foundation Communities (Anna Lake-Smith). City Staff: Jonathan Tomko, 512-974-1057.

District(s): District 1

82. 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

## Consent Agenda

### Community Court

83. Authorize negotiation and execution of an amendment to an agreement with A New Entry, Inc. for bridge housing services, to increase funding for the current agreement ending on September 30, 2024, in an amount not to exceed \$207,000, for a total agreement amount not to exceed \$602,797.

Strategic Outcome(s): Economic Opportunity and Affordability.

### Item(s) from Council

84. Approve a resolution directing the City Manager to develop a plan for converting existing overhead electric distribution lines to underground electric utility distribution lines and advancing the development of underground electric utility infrastructure in new construction projects; and initiating code amendments to City Code Title 25 to implement these changes.

Sponsors: Council Member Ryan Alter, Council Member Vanessa Fuentes, José "Chito" Vela, Council Member Leslie Pool, and Mayor Pro Tem Paige Ellis

85. Approve a resolution initiating an amendment to City Code Section 25-2-582 (Commercial Highway (CH) District Regulations) to allow a planned development area combining district to modify commercial highway district regulations; and waiving a requirement for recommendation by the Codes and Ordinances Joint Committee.

Sponsors: Council Member Leslie Pool, Council Member Natasha Harper-Madison, Zohaib "Zo" Qadri, and José "Chito" Vela