



**Thursday, April 13, 2023**

The City Council will convene at 10:00 AM on Thursday, April 13, 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 – Donate Life Month – To be presented by Council Member Ryan Alter

Proclamation – Sexual Assault Awareness and Prevention Month – To be presented by Council Member Alison Alter and to be accepted by SAFE Austin

Certificates of Recognition – UT Austin’s Healthy Student Organizations – To be presented by Council Member Qadri and to be accepted by various members of the UT Austin Healthy Student Organization programs

Proclamation – Lewis Conway, Jr. Day – To be presented by Council Member Harper-Madison and to be accepted by the family of Lewis Conway, Jr.

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

##### **Consent Agenda**

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

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

##### **Development Services**

2. Approve an ordinance amending City Code Section 4-2-21 to exclude false alarm notifications resulting from power outages from the false alarm notification fee; and applying the exclusion to the 2023 Winter Weather Event.

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

##### **Economic Development Department**

3. Approve a resolution authorizing the Circuit Events Local Organizing Committee to act on behalf of the City for the Texas Events Trust Fund for the purpose of conducting economic studies, submitting applications, and submitting any required funding to the Office of the Texas Governor for MotoAmerica events to be held at the Circuit of the Americas.

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

District(s): District 2

4. Approve a resolution nominating the directors of the Austin Economic Development Corporation Board of Directors.

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

## **Financial Services**

5. Approve an ordinance to suspend a Gas Reliability Infrastructure Program interim customer surcharge proposed by Atmos Energy Corporation, Mid-Tex Division.

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

6. Approve an ordinance to suspend a Gas Reliability Infrastructure Program interim customer surcharge proposed by CenterPoint Energy Resources Corp.

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

## **Financial Services- Contracts**

7. Authorize execution of a contract for fault indicators and fiber optic leads with KBS Electrical Distributors, Inc., for a term of five years in an amount not to exceed \$4,950,000.

[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.

8. Authorize execution of a contract for polyurethane foam backfill with Priester-Mell & Nicholson, Inc., for a term of five years in an amount not to exceed \$575,000.

[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.

9. Authorize an amendment to a contract for continued maintenance, repairs, and inspections of Bronto Skylift vehicles with TGM Wind Services, LLC d/b/a Kardie Equipment, to increase the amount by \$1,500,000 and to extend the term by five years for a revised total contract amount not to exceed \$2,395,000.

[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.

10. Authorize negotiation and execution of three contracts for consulting services for district

development support with AECOM Technical Services, Inc., Mend Collaborative, Inc., and The Goodman Corporation, each for a term of three years in an amount not to exceed \$1,500,000, 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) and subcontractor goals were applied to the solicitation. The subcontracting goals were met, and the resulting contracts will include 8.43% MBE/WBE combined participation].

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

11. Authorize negotiation and execution of a contract for a log data observability platform with Freeit Data Solutions, Inc., for a term of three years in an amount not to exceed \$750,000.

[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, Government that Works for All.

12. Authorize execution of three contracts for veterinary pharmaceuticals, supplies, equipment, and animal care products with Midwest Veterinary Supply, Inc., WA Butler Company d/b/a Covetrus North America, LLC, and Boehringer Ingelheim Animal Health USA, Inc., each for a term of five years in an amount not to exceed \$3,300,000, divided among the contractors.

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

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

13. Authorize negotiation and execution of a contract for teleconferencing management services for City Council meetings with Mercury Intermediate Holdings, LLC d/b/a Mercury Acquisition 2021, LLC, or Tele-Town Hall, for a term of five years in an amount not to exceed \$600,000.

[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.

14. Authorize execution of a contract for original equipment manufacturer parts and repair services for City-owned Kawasaki, Can-Am, and Polaris vehicles with Woods Fun Center, LLC d/b/a BMW Motorcycles of Austin or Ridenow Austin, for a term of five years in an amount not to exceed \$430,500.

[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.

15. Authorize negotiation and execution of a contract for a scenario-based simulator with VirTra, Inc. in an amount not to exceed \$160,215.

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

*Strategic Outcome(s):* Safety.

16. Authorize negotiation and execution of a contract for tactical carrier vests with Atlantic Diving Supply, Inc. d/b/a ADS, Inc., for 34 months for a total contract amount not to exceed \$644,000.

[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.

17. Authorize negotiation and execution of a contract for broker services for Austin Energy with Alliant Insurance Services, Inc. d/b/a Alliant Insurance Services, for up to five years for a total contract amount not to exceed \$55,000,000.

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

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

18. Authorize negotiation and execution of a contract for original equipment manufacturer parts and repair services for Pierce fire apparatus and Oshkosh airport emergency fire apparatus, with Siddons-Martin Emergency Group, LLC d/b/a Siddons-Martin Emergency Group or Global AARE, LLC, for a term of five years in an amount not to exceed \$4,475,000.

[Note: Sole Source contracts are 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):* Mobility.

19. Authorize negotiation and execution of a contract for professional auditing services with a certified public accountant for the City's Annual Comprehensive Financial Report, federal and single audit reports, and other special reports with Deloitte & Touche LLP d/b/a Deloitte & Touche Tohmatsu, for a term of five years in an amount not to exceed \$8,000,000.

[Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code

Chapter 2-9B (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.

20. Authorize negotiation and execution of two contracts for oils, greases, lubricants, and parts for City vehicles and equipment with Arnold Oil Company of Austin, LP and Lubricant Products & Supplies LLC, each for up to three years in an amount not to exceed \$3,750,000, divided between 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): Mobility.

21. Authorize negotiation and execution of a contract for design and construction services for the Brackenridge Gas Insulated Switchgear Substation - Reissue project with Jingoli Power, LLC, in an amount not to exceed \$33,949,201.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.61%MBE and 3.51% WBE participation].

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

District(s): District 9

22. Authorize the negotiation and execution of all documents and instruments necessary or desirable to acquire a Sidewalk, Trail, and Recreational Easement, consisting of approximately 0.19 acres of land located at 1219 South Lamar Boulevard, Austin, Texas, from 1219 South Lamar Venture LLC in an amount not to exceed \$311,000, including closing costs.

Strategic Outcome(s): Health and Environment.

District(s): District 9

23. Authorize negotiation and execution of a 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 \$470,000.

[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): Mobility.

24. Authorize negotiation and execution of an amendment to the lease with TreeFolks, Inc., a Texas non-profit corporation, for approximately 2,150 square feet of office space and 6.43 acres of land out of the real property located at 10803 Platt Lane in Travis County, Texas, for a term of 10

years, for an annual lease rate of \$100, with two 10-year extension options.

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

25. Authorize negotiation and execution of a lease agreement with River City Partners, Ltd., a Texas limited corporation, for a term of seven years with two consecutive 5-year extension options for approximately 2,233 square feet of retail space for the Austin Municipal Court North Payment Center, located at 2121 West Parmer Lane, Suite 116, Austin, Texas, 78727, for a total amount not to exceed \$460,936.

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

**District(s):** District 7

26. Authorize negotiation and execution of a contract for baggage handling system services with Vanderlande Industries, Inc., for up to two years for a total contract amount not to exceed \$10,978,850.

[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):** Mobility.

27. Authorize negotiation and execution of five contracts to provide custodial services with American Facility Services, Inc., UBM Enterprise, Inc., PJS of Texas, Inc., Kleen-Tech Services, LLC, and ABM Industry Groups, LLC d/b/a ABM, each for up to five years for a total contract amount not to exceed \$53,500,000, 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):** Health and Environment, Safety.

28. Ratify three construction contracts for emergency repairs at the Northbridge Shelter, 7400 North Interstate Highway 35, and Pecan Gardens Shelter, 10811 Pecan Park Boulevard #2, 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

## **Law**

29. Authorize negotiation and execution of an amendment to the legal services agreement with McCall Parkhurst & Horton LLP for the negotiation and drafting of the Master Development Agreement for

the property located at 1215 Red River Street and 606 East 12th Street, known as the HealthSouth property, in the amount of \$200,000 for a total contract amount not to exceed \$295,000.

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

## **Parks and Recreation**

30. Approve Pease Park Conservancy's Annual Programming Plan for Kingsbury Commons within the Pease District Park.

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

**District(s):** District 10

31. Approve The Trail Conservancy's Arts and Culture Plan for the Ann and Roy Butler Hike and Bike Trail at Town Lake Metropolitan Park.

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

**District(s):** District 10; District 3; District 5; District 8; District 9

32. Approve an ordinance waiving or reimbursing certain fees for adults with disabilities participating in the Parks and Recreation Therapeutic Recreation Programs between March 1, 2023 and October 1, 2023.

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

## **Police**

33. Approve an ordinance amending Exhibit A to the Fiscal Year 2022-2023 City of Austin Fee and Fine Ordinance (Ordinance No. 20220817-005) to add a fee for police commanders for reimbursed special events, amend a fee and add a fee for emergency communications dispatchers, and add four fees for reimbursed special events requesting forty or more sworn personnel.

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

34. Approve a resolution authorizing the acceptance of grant funding in the amount of \$275,424 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department Bullet-Resistant Shield Grant Project.

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

35. Approve an ordinance amending the Fiscal Year 2022-23 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept and appropriate \$275,424 from the State of Texas, Office of the Governor, Criminal Justice Division, Bullet-Resistant Shield Grant Program for the bullet-resistant shield grant project.

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

## **Transportation**

36. Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for the High Safety Improvement Program lighting projects on Howard Lane from Scofield Road Parkway to Dessau Road, and Slaughter Lane from Riddle Road to Brandt Road for a total estimated cost of \$2,851,951 with the City's share of the costs estimated to be \$323,953 plus any cost overruns.



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

**District(s):** District 2; District 5; District 7

**Item(s) from Council**

37. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws.

38. Approve a resolution directing the City Manager to review future aerial fire truck, staffing, equipment, and budgetary needs for the Austin Fire Department and report back to Council with recommendations.

**Sponsors:** Council Member Mackenzie Kelly, Council Member José Velásquez, Council Member Alison Alter, and Council Member Vanessa Fuentes

39. Approve an ordinance waiving or reimbursing certain fees for Austin Entertains, hosted by the Junior League of Austin, held on March 2, 2023.

**Sponsors:** Council Member Vanessa Fuentes, Council Member Zohaib "Zo" Qadri, Council Member Alison Alter, and Mayor Pro Tem Paige Ellis

40. Approve the waiver or reimbursement of certain fees for the Missions 5K Run for Alzheimer's, hosted by St. James Missionary Baptist Church, on March 25, 2023

**Sponsors:** Council Member Natasha Harper-Madison, Council Member Zohaib "Zo" Qadri, Council Member Alison Alter, Council Member José "Chito" Vela, and Council Member José Velásquez

41. Approve an ordinance waiving or reimbursing certain fees for the Women's Mind at Ease Conference to be held at the Doris Miller Auditorium on April 28, 2023.

**Sponsors:** Council Member José Velásquez, Mayor Kirk Watson, Council Member Natasha Harper-Madison, Council Member José "Chito" Vela, and Council Member Vanessa Fuentes

42. Approve an ordinance waiving or reimbursing certain fees for the Austin Citywide Iftar, hosted by the Minaret Foundation on April 2, 2023.

**Sponsors:** Council Member Zohaib "Zo" Qadri, Council Member Natasha Harper-Madison, Council Member Alison Alter, Council Member José "Chito" Vela, and Council Member José Velásquez

43. Approve a resolution related to prioritizing funding and resources to purchase Narcan, distribute the product, and provide training on its use.

**Sponsors:** Council Member Mackenzie Kelly, Council Member Ryan Alter, Council Member Vanessa Fuentes, and Council Member José Velásquez

44. Approve the waiver or reimbursement of certain fees for the Austin Sunshine Run to be held on May 7, 2023.

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

45. Approve a resolution initiating amendments to City Code Title 25 to modify parking requirements

for cocktail lounge use.

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

46. Approve a resolution directing the City Manager to prioritize the development of deeply affordable housing on the City-owned property located at 4800 Bolm Road, Austin, Texas 78702 and identify potential funding sources for any environmental remediation required for residential development on the property.

**Sponsors:** Council Member José Velásquez, Mayor Pro Tem Paige Ellis, Council Member Ryan Alter, Council Member José "Chito" Vela, and Mayor Kirk Watson

47. Approve a resolution to allocate the Project Connect anti-displacement funding for Fiscal Years 2023-2025.

**Sponsors:** Council Member Vanessa Fuentes, Council Member José Velásquez, Council Member José "Chito" Vela, Council Member Ryan Alter, and Council Member Leslie Pool

48. Approve a resolution directing the City Manager to explore the feasibility of an interlocal agreement for the development of an Austin/Travis County Diversion Center, identify financial resources necessary to partner in developing a pilot for mental health diversion services and a bridge housing program, and provide updates to the Public Health Committee and a report to Council.

**Sponsors:** Council Member Zohaib "Zo" Qadri, Council Member Vanessa Fuentes, Council Member José "Chito" Vela, Council Member Ryan Alter, and Council Member Leslie Pool

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

49. Set a public hearing to consider an ordinance amending City Code Section 25-2-586 (Downtown Density Bonus Program) to provide an alternative option for properties located along Texas Department of Transportation (TxDOT) frontages that cannot comply with the City's Great Streets standards. (Suggested date and location: Thursday, May 4, 2023, at Austin City Hall, 301 West 2nd Street, Austin, Texas 78701).

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

50. Set a public hearing to consider an ordinance amending City Code Section 25-2-586 (Downtown Density Bonus Program) to allow properties within the Capitol Dominance Overlay District to participate in the Downtown Density Program if these properties continue to comply with the Capital View Corridors and Capitol View Corridor Overlay District where applicable. (Suggested date and location: Thursday, May 4, 2023, at Austin City Hall, 301 West 2nd Street, Austin, Texas 78701).

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

#### **Non-Consent**

##### **Eminent Domain**

51. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the North Lamar Boulevard Corridor Project for the public use of reducing delay, improving the effectiveness of transit, and creating continuous Americans with Disabilities Act-compliant sidewalks, bicycle facilities, and either separate paths or a shared-use

path which will enhance safety for pedestrians and cyclists along the entire length of the project requiring the acquisition of street right of way comprised of approximately 0.0426 of an acre of land (approximately 1,854 square feet), and a temporary construction easement comprised of approximately 0.0402 of an acre of land (approximately 1,752 square feet), being out of and a portion of the John Applegait Survey No. 58, Abstract No. 29, in the City of Austin, Travis County, Texas, being a portion of the Lot 1, Rutland-Lemmon Ltd., addition, a subdivision of record in Volume 72, Page 33 of the Plat Records, City of Austin, Travis County, Texas, currently appraised at \$252,981 and subject to an increase in value based on updated appraisals or a Special Commissioners award. The owner of the needed property is WBRE, LLC, successor by merger to Whataburger, Inc. The property is located at 9516 North Lamar Boulevard, Austin, Texas 78753. The general route of the project is along North Lamar Boulevard between United States Highway 183 and Howard Lane.

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

**District(s):** District 4

52. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Williamson Creek - Richmond Tributary Rehabilitation Project, for the public use of stream bank stabilization, drainage culvert construction, and wastewater line protection, requiring the acquisition of a temporary working space easement consisting of approximately 487 square feet (0.0112 of an acre), being out of and a portion of Lot 16, Block B, Forest Oaks, a subdivision of record in Volume 6, Page 3, Plat Records, Travis County, Texas, in the City of Austin, Travis County, Texas currently appraised at \$8,194 subject to an increase in value based on updated appraisals or a Special Commissioners' award. The owner of the needed property is William C. Ball. The property is located at 4500 Richmond Avenue, Austin, Texas, 78745. The general route of the project is along the Richmond Tributary to Williamson Creek, behind homes on Richmond Avenue and Gillis Street, from Redd Street south to Green Forest Drive.

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

**District(s):** District 5

53. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Upper Harris Branch Wastewater Interceptor - Phase 1 Project, for the public use of installing wastewater infrastructure requiring the acquisition of a wastewater easement consisting of approximately 2.106 acres (91,720 square feet) and a temporary working space easement consisting of approximately 1.052 acres (45,813 square feet), being part of a called 47.733-acre tract, conveyed to East Creek ATX, LLC, recorded in Document Number 2022008621, Official Public Records of Travis County, Texas, currently appraised at \$461,871, subject to an increase in value based on updated appraisals or a Special Commissioners award. The owner of the needed property is East Creek ATX, LLC. The property is located at 12401 Hulsey Road, Manor, TX 78653. The general route of the project is the Upper Harris Branch wastewater basin from Dessau Road to Harris Branch Parkway.

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

54. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Upper Harris Branch Wastewater Interceptor - Phase 1 Project, for the public use of installing wastewater infrastructure requiring the acquisition of a wastewater easement consisting of approximately 0.9254 of an acre (40,312 square feet) and a

temporary working space easement, consisting of three parts, collectively comprising approximately 1.311 acres (57,091 square feet), being part of Lot 63, Block A (Water Quality, Detention, Drainage Easement, Open space and Common Area) Edinburgh Gardens Section One, recorded in Document Number 200500005, Official Public Records of Travis County, Texas, currently appraised at \$31,965, subject to an increase in value based on updated appraisals or a Special Commissioners award. The owner of the needed property is Harris Branch Residential Property Owners Association, Inc. The property is located at 12420 Granton Cove, Austin, Texas 78754. The general route of the project is the Upper Harris Branch wastewater basin, from Dessau Road to Harris Branch Parkway.

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

**District(s):** District 1

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

55. Conduct a public hearing and 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. Second Street, Austin, Texas 78701).

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

56. Conduct 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 78721, within the City. (Related to Item #59).

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

**District(s):** District 1

57. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to mitigation of wildfire risk.

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

58. Conduct a public hearing and consider an ordinance releasing approximately 48 acres of Austin's extraterritorial jurisdiction near 15416 Littig Road, adjacent to the extraterritorial jurisdiction of Manor, Texas. Case number: CETJ-2022-0002.

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

### **Items Associated with Public Hearings**

59. Consider a resolution related to the allocation of housing tax credits and private activity bonds and the application by AHFC-FC Norman Housing, LP, or an affiliated entity, for a proposed development to be located at or near 3811 Tannehill Lane, Austin, Texas 78721, within the City, and financed through the private activity bond program. (Related to Item #56).

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

**District(s):** District 1

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

Sean Guess- I live just down the street from the Montopolis Bridge, where un-permitted parties are increasing in frequency. On Friday March 17, there were as many as 350 people in attendance, cars parked all over private and public land, with loud music from midnight to 4:30am. The most disturbing incident happened at 1:40am, when 7 gun shots rang out, 2 just outside my fence, 5 more down the street (my neighbor picked up the casings the following day). I immediately called 911. An APD officer did show up about 15 minutes later, drove to the dead end where the bridge starts, turned around and left. That was a full 2.5 hours before the party ended? What my neighbor has been told by APD in the past is that the bridge is not under their jurisdiction, that it belongs to TxDOT, therefore they cannot do anything. I also understand that the Parks Department may be taking over jurisdiction? I have an 11 year old and a 13 year old. That night truly made us feel unsafe in our own home and neighborhood. Indecision or passing the buck from one organization to another with no accountability to safety needs to end and someone needs to take responsibility for monitoring the bridge. I am hopeful City Council can help spur these organizations or stakeholders along so I don't have to be worried about my family being victims of violence. Thanks.

Armando Magana- Homelessness

Bryan Leah- Spring Villa apts. that are next door to me and are in the Austin city limits, are flooding me and now dumping diesel fuel on to my property. They do not have an approved permit to build. They continue to build without the city of Austin approving a building plan or permit.

Diana Prechter- Government transparency: I've been told that all arts organizations that receive cultural arts funding from the City of Austin are required to post their events on the Austin convention and visitors bureau, entertainment calendar. To improve transparency, I'm requesting that there is a filter option added, so that visitors can select those events that have been funded by the city of Austin.

Jonathan Davidson- Montopolis Bridge/APD/Public Safety/Montopolis

Kate Bero- Increased frequency of Montopolis Bridge parties- public safety and environmental impact

Susana Almanza- Anti-Displacement Using Median Family Income Levels (MFI)

Amanda Carrillo- Tank Farm

Carlos Leon- 1) God, Jesus Christ, and the Holy Spirit are undefeated and undeterred; 2) Chemtrails are ALIEN and unwelcome in Austin; 3) Starve out Galaxy Cafe/Top Notch/Zocalo Cafe because co-owner Kelly Chappell wrongly banned me and attempted to gaslight and crybully me

AUGUST HARRIS- Downtown Commission Recommendation for the Creation of a Dedicated Anti-Graffiti Unit and Fiscal Note.

## **Live Music**

Ben Buck

## Executive Session

60. Evaluate the performance of, and consider compensation and benefits for, the City Clerk (Personnel matters - Section 551.074 of the Government Code).
61. Evaluate the performance of, and consider compensation and benefits for, the City Auditor (Personnel matters - Section 551.074 of the Government Code).
62. Evaluate the performance of, and consider compensation and benefits for, the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).

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

63. 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 Interstate Highway 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-conditional overlay (MF-4-CO) combining district zoning. Staff and Zoning and Platting Commission Recommendation: To grant multifamily residence moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Owner/Applicant: Dupius Investments, Ltd. (Daniel McCormack) Agent: Coats Rose (Racy Haddad). City Staff: Joi Harden, Planning Department, 512-974-1617. A valid petition has been filed in opposition to this rezoning request.

District(s): District 1

64. 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: Joi Harden, Planning Department, 512-974-1617.

District(s): District 1

65. NPA-2022-0031.01 - 8640 and 8700 Shoal Creek Blvd. - Conduct a public hearing and approve an ordinance amending Ordinance No. 20180823-082, the North Shoal Creek 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 8640 and 8700 Shoal Creek Boulevard (Shoal Creek Watershed) from Industry to Mixed-Use Activity Corridor land use. Staff and Planning Commission Recommendation: To grant Mixed-Use Activity Corridor land use. Owner/Applicant: Karnak Holdings LLC. Agent: DuBois Bryant & Campbell (David Hartman). City Staff: Kathleen Fox, Planning Department, 512-974-7877.

District(s): District 7

66. C14-2022-0117 - 8640 and 8700 Shoal Creek Blvd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 8640 and 8700 Shoal

Creek Boulevard (Shoal Creek Watershed). Applicant Request: To zone from limited industrial (LI) district zoning to limited industrial-planned development area (LI-PDA) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial-planned development area (LI-PDA) combining district zoning. Owner/Applicant: Karnak Holdings LLC (Robert Lum). Agent: Dubois Bryant & Campbell (David Hartman). City Staff: Sherri Sirwaitis, Planning Department, 512-974-3057.

District(s): District 7

67. C14-2022-0154 - El Palacio Event Center - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9414 Parkfield Drive (Little Walnut Creek). Applicant Request: To rezone from community commercial-neighborhood plan (GR-NP) combining district zoning to commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales-neighborhood plan (CS-1-NP) combining district zoning. Owner/Applicant: Ghassan Najar and Salim G. Salem. Agent: Lenworth Consulting, LLC (Ignacio “Nash” Gonzales, Jr.). City Staff: Sherri Sirwaitis, Planning Department, 512-974-3057.

District(s): District 4

68. C14-2022-0053 - Swansons Ranch Single Family - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9608, 9700, and 9702 Swansons Ranch Road (Slaughter Creek Watershed). Applicant’s Request: To rezone from single-family residence large lot (SF-1) district zoning and single-family residence standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Applicant: ITALEX Builders Inc. (John Luke Sanchez). Agent: Thrower Design (Victoria Haase). City Staff: Nancy Estrada, Planning Department, 512-974-7617.

District(s): District 5

69. C14-2022-0203 - Riverside and Vargas - Approve second and third readings of 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. First Reading approved on March 9, 2023. Vote: 9-0. Council Members Fuentes, and Harper-Madison off the dais. Owner/Applicant: East Riverside Drive UP, LLC (Shawn A.J. Gross). Agent: Drenner Group, PC (Amanda Swor). City Staff: Nancy Estrada, Planning Department, 512-974-7617.

District(s): District 3

70. C14-2022-0171 - 7960 Shoal Creek Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 7960 Shoal Creek Boulevard (Shoal Creek Watershed). Applicant Request: To zone from limited office (LO) district

zoning to neighborhood commercial (LR) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant neighborhood commercial (LR) district zoning district zoning. Owner/Applicant: 5205 ACQUISITIONS, LLC (Manny Farahani). Agent: Permit Partners, LLC (Tisha Ritta). City Staff: Sherri Sirwaitis, Planning Department, 512-974-3057.

District(s): District 7

71. C14-2022-0132 - The Charlotte - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3417 East Martin Luther King, Jr. Boulevard (Tannehill Branch Creek Watershed). Applicant's 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: St. James Missionary Baptist Church (Thomas Owens, Deacon). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Michael Watson, Planning Department, 512-974-3043.

District(s): District 1

72. 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 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 to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant general commercial services-neighborhood plan (CS-NP) combining district zoning. Owner/Applicant: 809 Vargas LC. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Joi Harden, Planning Department, 512-974-1617.

District(s): District 3

73. 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 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 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 and Planning Commission Recommendation: To grant general commercial services-neighborhood plan (CS-NP) combining district zoning. Owner/Applicant: 809 Vargas LC. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Joi Harden, Planning Department, 512-974-1617.

District(s): District 3

74. 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, Planning Department, (512) 974-2695.

District(s): District 3

75. 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 April 11, 2023. Owner/Applicant: Alpha Builders (Gino Shvetz). Agent: Bennett Consulting (Rodney K. Bennett). City Staff: Nancy Estrada, 512-974-7617, Planning Department.

District(s): District 3

76. 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, Planning Department. A valid petition has been filed in opposition to this rezoning request.

District(s): District 9

## Adjourn

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

For assistance, please call 512-974-2210 or TTY users route through 711.

A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later 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.