



Thursday, May 18, 2023

The City Council will convene at 10:00 AM on Thursday, May 18, 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

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

Certificate of Completion – The Business Skills Certification Graduates – To be presented by Mayor Kirk Watson and to be accepted by Susana Carbajal, Economic Development Department Deputy Director

Proclamation – Building Safety Month – To be presented by Mayor Kirk Watson and to be accepted by José Roig, Interim Director of Development Services Department

Proclamation – Emergency Medical Services Week – To be presented by Council Member Alison Alter and to be accepted by EMS Chief Robert Luckritz

Proclamation – Wildfire Awareness Month – To be presented by Council Member Alison Alter and to be accepted by Austin Fire Department staff

Proclamation – Chris Chen Fountain Dedication – To be presented by Council Member Leslie Pool and to be accepted by The Family of Chris Chen

10:00 AM – City Council Convenes

Consent Agenda

Austin Energy

1. Authorize reimbursement of costs to DW CAL 308 Guadalupe, LLC, for the service pipe connection to interconnect the Republic office building to the Austin Energy downtown district cooling system in an amount not to exceed \$1,412,870.

District(s): District 9

Austin Water

2. Approve Service Extension Request No. 5650 for water service to a 77.78-acre tract located at 9209 Ledgestone Terrace within the Drinking Water Protection Zone, the City's 2-mile extraterritorial jurisdiction and Austin Water's service area.
3. Approve Service Extension Request No. 5672 for water service to a 69.12-acre tract located at 8921 West US 290 Highway within the Drinking Water Protection Zone, the City's 2-mile extraterritorial jurisdiction and Austin Water's service area.

Economic Development Department

4. Approve a resolution nominating Applied Materials, Inc., for designation by the Governor's Office of Economic Development and Tourism as a single Texas Enterprise Project in accordance with Texas Government Code Chapter 2303.

Emergency Medical Services

5. Approve an ordinance waiving City Code Chapter 14-11 (Use of Right of Way) and Section 10-2-60 of Chapter 10-2 (Medical Transfer Services); and authorizing negotiation and execution of a license agreement with Lone Star Ambulance 1 d/b/a/Allegiance Mobile Health, Inc. for a limited term; and declaring an emergency.
6. Approve an ordinance waiving City Code Chapter 14-11 (Use of Right of Way) and Section 10-2-60 of Chapter 10-2 (Medical Transfer Services); and authorizing negotiation and execution of a license agreement with American Medical Response, Inc. for a limited term; and declaring an emergency.

Financial Services

7. Approve a resolution authorizing the issuance by Southeast Travis County Municipal Utility District No. 1 of up to \$5,855,000 of Unlimited Tax Bonds, Series 2023.

Financial Services- Contracts

8. Authorize negotiation and execution of a contract for communications cable infrastructure maintenance and repair services with Brymer Communication Services, LLC d/b/a Brycomm, LLC, for a term of five years in an amount not to exceed \$2,500,000.

[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].

9. Authorize negotiation and execution of a contract for a facilities operation management system with Brightly Software, Inc., for a term of five years in an amount not to exceed \$1,075,000.

[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].

10. Authorize execution of a contract for Hornsby Bend tree management services with J Arbor Contracting LLC, for a term of five years in an amount not to exceed \$546,000.

[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].

11. Authorize an amendment to a contract for workforce development services to expand services to 13 additional clients with Capital Investing in Development and Employment of Adults Inc. d/b/a Capital IDEA, and to increase the amount by \$500,000 for a revised total contract amount not to exceed \$2,000,000.

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

12. Authorize negotiation and execution of a contract for group pre-paid legal services with ARAG Services, LLC, a subsidiary of ARAG North America, Inc. d/b/a ARAG, LLC, for up to five years for a total contract amount not to exceed \$5,400,000.

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

13. Authorize an amendment to a contract for early childhood and family support services with Worksource Greater Austin Area Workforce Board d/b/a Workforce Solutions Capital Area Workforce Board, to increase the amount by \$1,000,000 for a revised total contract amount not to exceed \$4,264,881.

[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].

14. Authorize negotiation and execution of a contract for building automation system maintenance and repair services with Siemens Industry, Inc. d/b/a Russelectric, for a term of five years in an amount not to exceed \$3,340,000.

[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].

15. Authorize negotiation and execution of a contract for vehicle rental services with Enterprise Holdings, Inc. d/b/a EAN Services LLC, for a term of five years in an amount not to exceed \$5,950,000.

[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].

16. Authorize an amendment to a contract for specialty chemical water treatment services with Nalco Company LLC d/b/a Nalco Company, to increase the amount by \$3,922,500 and to extend the term by one year for a revised total contract amount not to exceed \$18,610,000.

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

17. Authorize an amendment to a contract for architectural and engineering services for the Airport Principal Architect/Engineer with HNTB Corporation, to increase the amount by \$27,000,000, for a revised total contract amount not to exceed \$52,000,000.

[Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 1.32% MBE and 7.90% WBE].

District(s): District 2

18. Authorize an amendment to a contract for professional design services for the Asian American Resource Center Phase II Improvements project with Trahan Architects APAC, to increase the amount by \$3,299,000 for a revised total contract amount not to exceed \$4,019,000.

[Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 6.29% MBE and 2.98% WBE.].

District(s): District 1

19. Authorize negotiation and execution of two contracts for engineering services for the Southwest Parkway Transmission Main and Elevated Reservoir and the South I-35 Elevated Reservoir projects with Freese and Nichols, Inc. and Tetra Tech, Inc., or other qualified respondents, in an amount not to exceed \$14,000,000, divided between the contractors.

[Note: These contracts 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 16.00% MBE and 4.00% WBE participation].

District(s): District 5; District 8

20. Authorize execution of a contract for the Electrification Infrastructure Phase 4 project with Weston Solutions, Inc., for up to three years for a total contract amount not to exceed \$1,500,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 4.70% MBE and 0.00% WBE participation].

21. Authorize negotiation and execution of a contract for Cellebrite decryption hardware and software licenses with Carahsoft Technology Corp., for up to three years for a total contract amount not to exceed \$380,000.

[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 required for this procurement, there were no certified M/WBEs; therefore, no subcontracting goals were established].

22. Authorize negotiation and execution of a contract for license plate reader camera systems and

services with Insight Public Sector, Inc., for up to five years for a total contract amount not to exceed \$1,090,000.

[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 certified M/WBEs; therefore, no subcontracting goals were established].

23. Authorize execution of three contracts for homeless encampment cleanup services with P Squared Services LLC, Enterprise Professional Services, Inc. d/b/a EPSI, and I.C.C.S. LLC d/b/a ICCS Academy, each for a term of five years in an amount not to exceed \$20,000,000, divided among the contractors.

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

Housing

24. Authorize negotiation and execution of a contract with Sanders\Wingo for marketing and communications services for specific displacement prevention programs for an 11-month term, for a total contract amount not to exceed \$265,000.

Law

25. Authorize payment of a judgment and court costs in Maria del Rosario Membreno Lopez as Next Friend of Jaime Antonio Membreno Lopez v. City of Austin d/b/a Austin Energy, et al., Cause No. D-1-GN-15-004371 in the 98th District Court, Travis County, Texas, in an amount not to exceed \$3,027,000.

Management Services

26. Approve an ordinance amending Ordinance No. 20220929-038 to revise the Council meeting schedule for calendar year 2023, as provided in Exhibit A, as amended.

Police

27. 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.
28. Approve a resolution authorizing the application for and acceptance of \$496,043 in grant funding from the Texas Motor Vehicle Crime Prevention Authority to continue the Austin Police Department Auto Burglary and Theft Interdiction Project.

Public Health

29. Authorize negotiation and execution of an agreement with Raising Austin d/b/a Together4Children to provide workforce development training for childcare workers, in an amount not to exceed \$351,270 for a 16-month term beginning June 1, 2023.
30. Authorize negotiation and execution of an interlocal agreement with the Texas Department of State Health Services to purchase human immunodeficiency virus medications under the federal Ryan White HIV/AIDS Part A grant program, for a two-year term for a total agreement amount not to exceed \$400,000.
31. Authorize negotiation and execution of Amendment No. 4 to the agreement with Catholic Charities of Central Texas to help refugee families achieve economic self-sufficiency and housing stability, to add one 12-month extension option in an amount not to exceed \$100,000, for a revised total agreement amount not to exceed \$500,000.00.
32. Authorize negotiation and execution of an interlocal agreement with Del Valle Independent School District for the provision of startup costs for four new pre-kindergarten classrooms, for a four-month term in an amount not to exceed \$64,000.
33. Authorize negotiation and execution of an interlocal agreement with Austin Independent School District for the provision of startup costs for three new pre-kindergarten classrooms, for a four-month term in an amount not to exceed \$48,000.
34. Authorize negotiation and execution of an interlocal agreement with Leander Independent School District for the provision of startup costs for a new pre-kindergarten classroom, for a four-month term in an amount not to exceed \$16,000.
35. Authorize negotiation and execution of Amendment No. 9 to the agreement with Austin Travis County Mental Health Mental Retardation Center, d/b/a Integral Care, for the provision of permanent supportive housing services, to extend the term of the agreement to September 30, 2024, and add funds in an amount not to exceed \$460,568, for a revised total agreement amount not to exceed \$8,012,618.

Transportation and Public Works

36. Approve a resolution authorizing negotiation and execution of a local on-system project improvement agreement with the Texas Department of Transportation for the construction of safety and mobility improvements at the FM 969 and Regency Drive intersection for an estimated amount of \$941,703, plus any cost overruns, and for the construction of safety and mobility improvements at the State Highway 165 (Comal Street) and East Seventh Street intersection for an estimated amount of \$167,887, plus any cost overruns.
District(s): District 1; District 3
37. Approve an ordinance amending City Code Section 12-4-64 (Table of Speed Limits) to modify speed limits on segments of North Lamar Boulevard.
District(s): District 7
38. Approve a resolution authorizing negotiation and execution of an advance funding agreement with the Texas Department of Transportation for the Highway Safety Improvement Program lighting projects on Bluff Springs Road from William Cannon Drive to Slaughter Lane and McNeil Drive from US 183 to Parmer Lane for a total estimated cost of \$1,244,792 with the City's share of the costs estimated to be \$530,000 plus any cost overruns.
District(s): District 2; District 6

39. Approve a resolution authorizing the submission of a grant application to the Texas Department of Transportation (TxDOT) 2023 Transportation Alternatives Set-Aside Program to fund projects to fill in small- to medium-sized sidewalk, bikeway, and shared-used path gaps, remove Americans with Disability Act barriers, and make Safe Routes to School improvements on and near TxDOT right-of-way.

Item(s) from Council

40. 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.
41. Approve the waiver or reimbursement of certain fees for the 2023 Texas State Employees Union Lobby Day and March, that was held on April 13, 2023, at the Texas State Capitol.
Sponsors: Council Member Zohaib "Zo" Qadri, Council Member Vanessa Fuentes, Council Member José "Chito" Vela, and Council Member Leslie Pool
42. Approve the waiver or reimbursement of certain fees for the Texas Peace Officers' Memorial Procession that was held on April 30, 2023.
Sponsors: Council Member Mackenzie Kelly, Mayor Kirk Watson, Council Member Alison Alter, and Council Member José Velásquez
43. Approve an ordinance waiving or reimbursing certain fees for the Reuben Kogut Memorial Chili Cookoff and Festival hosted by Congregation Agudas Achim that was held on March 26, 2023.
Sponsors: Council Member Alison Alter, Council Member Zohaib "Zo" Qadri, Council Member Mackenzie Kelly, and Council Member Ryan Alter
44. Approve a resolution initiating amendments to City Code Title 25 related to capital improvements to the Ann and Roy Butler Hike and Bike Trail (the "Butler Trail") and setbacks applicable to the Butler Trail.
Sponsors: Mayor Pro Tem Paige Ellis, Council Member Ryan Alter, Council Member José Velásquez, Council Member Leslie Pool, and Council Member Zohaib "Zo" Qadri
45. Approve a resolution to support a Mental Health First Aid initiative and develop a plan to assist in expanding the number of Mental Health First Aid certified individuals in our community.
Sponsors: Council Member Vanessa Fuentes, Council Member José Velásquez, Council Member José "Chito" Vela, Council Member Ryan Alter, and Council Member Natasha Harper-Madison
46. Approve a resolution directing the City Manager to designate all in-use City recreation centers and public libraries as participants in the Safe Place program and ensure that all staff members at each location have received Safe Place training prior to the designation of the facility.
Sponsors: Council Member José Velásquez, Council Member Ryan Alter, Council Member Vanessa Fuentes, Council Member Zohaib "Zo" Qadri, and Council Member José "Chito" Vela

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

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

48. 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 Alison Alter, Council Member José "Chito" Vela, and Council Member José Velásquez

Item(s) to Set Public Hearing(s)

49. Set a public hearing on the City's draft 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. (Suggested date: June 8, 2023, Austin City Hall, 301 West 2nd Street, Austin, Texas 78701).
50. Set a public hearing related to an application by ECG Daffan, 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 Daffan Flats, located at or near 7400 Daffan Lane, Austin, Texas 78724. (Suggested date: Thursday, June 1, 2023, Austin City Hall, 301 West 2nd Street, Austin, Texas 78701.)
51. Set a public hearing related to an application by Seabrook 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 Seabrook Square, located at or near 3511 and 3515 Manor Road, Austin, Texas 78723. (Suggested date: Thursday, June 1, 2023, Austin City Hall, 301 West 2nd Street, Austin, Texas 78701).

District(s): District 1

52. Set a public hearing to consider an ordinance granting a site-specific amendment to City Code Section 25-8-514, granting variances to City Code Sections 25-8-364 and 25-8-641, and waiving requirements of City Code Section 25-8-41 to allow construction of the Slaughter Lane Improvement Project from Loop 1 (MoPac) to 650 feet east of Brodie Lane, located at 5015 ½ West Slaughter Lane (SP-2022- 0336D). This action requires a site-specific amendment to the Save Our Springs Initiative and concerns property located in the Barton Springs Zone. (Suggested date: June 1, 2023, at Austin City Hall, 301 W. Second Street)

District(s): District 5

Non-Consent

10:30 AM - Austin Housing and Finance Corporation Meeting

53. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <https://www.austintexas.gov/departments/city-council/2023/20230518-ahfc.htm>).

Public Hearings and Possible Actions

54. Conduct a public hearing and consider an ordinance adopting the Palm District Plan as an element of the Imagine Austin Comprehensive Plan.
- District(s): District 9
55. 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 #62 and #63.
56. Conduct a public hearing to consider an ordinance regarding the application submitted by Acadian Ambulance Service, Inc. to renew a non-emergency medical transfer franchise under City Code Chapter 10-2 and approve the franchise agreement on first reading.
57. Conduct a public hearing to consider an ordinance relating to the voluntary, full purpose annexation of approximately 11.9 acres located in Travis County at 10701 Dessau Road and to approve execution of an agreement with the owner of the land for the provision of services. Case number: C7a-2022-0012. The property is in Austin limited purpose jurisdiction in Council District 1.
58. Conduct a public hearing and consider an ordinance amending 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 the requirements of City Code Section 2-1-207 (Codes and Ordinances Joint Committee) related to Codes and Ordinances Joint Committee review.
59. Conduct a public hearing and consider an ordinance amending the School District Land Development Standards Agreement between the City of Austin and the Austin Independent School District related to site development standards associated with telecommunication towers.

12:00 PM - Public Communication: General

Lily Gordy - Accessibility of city council meetings

Pinaki Ghosh- For the last 4 years I have been trying to create a connection between Ellon Road and Royster Avenue. I have been unsuccessful. Royster Avenue is dangerous, and we risk our lives going in Royster Avenue. We need an escape route in case of attacks or fire. The region is also designated as Urban Forest Interface. My own house was burned down, and I can attest to the dangers in Royster avenue.

Ryan Albright- Mearns meadow flooding and city negligence in creek maintenance

Diana Prechter - "Parking Lot Stories"

The current version of the March 23rd, 2023 Zilker Park Vision Plan, after recommendations by the Design Board and the Environmental Board, shows the removal of roads and surface lots throughout the park in favor of 2 new parking garages. If you remove roads from Zilker Park, you will be destroying the possibility of designing a good mass transit solution that could be implemented only during peak-use days.

I'm a mass transit advocate. NYC's Central Park began by having "almost-car-free" days on the weekends. With their urban density, this is now a 7-day per week program. They created a solution that makes Central Park safer and more enjoyable for recreational uses. Asphalt surfaces are an integral part of creative recreational uses.

At Zilker Park, I've been doing my own research: I've been counting cars in each lot including parallel-parking-roads in Zilker Park since April 21st; I have data from mornings, evenings and weekends. I have calculated percentage of days of the year at low-use, moderate-use, and peak use. In the lots, I began interviewing park users. I gathered their stories. It is too much data to present here. If you would like to see it, please contact me.

Today, I would like to show some pictures and "stories" about how people enjoy the current lots and roadways.

- AISD and Hays ISD school field trips - buses appreciate 2 parking lots
- More about field trips: parents want to be close to the specific-use area; they often have strollers that need solid surfaces to roll.
- Skateboarding
- Keeping bikes away from pedestrians during peak-use days
- Families with small children
- Disc golf - it's a big thing!

In summary, allow me to suggest a process for City Council to move forward through the myriad "good ideas" for Zilker Park: Do your work first! Design a mass transit mobility system that solves the peak-use problem. A mass transit solution is SCALABLE. A cement parking lot, no matter how big, will only postpone the point-of-pain for reaching the next frontier of peak-use.

Susannah Ramshaw - Little Walnut Creek flood event on April 21, 2023 and Little Walnut Creek Flood Mitigation Program

Dustin Grant- Flood of Mearns Meadow. Unkept watershed maintenance. Residents need disaster assistance.

Jordan Price - Flood remediation

Sai Keerthi Grant- Flooding of Mearns Meadow due to lack of creek maintenance

Glen Moorman- Mearns Meadow flood of April 20 and the Little Walnut Creek Flood Reduction Project.

james rodgers- Little Walnut Creek flooding on 4/20/23. Request change to Watershed Protection drainage inspection & maintenance.

Live Music

Tinted Vision

Executive Session

60. Discuss legal issues related to the South Waterfront Tax Increment Reinvestment Zone litigation, Cause No. D-1-GN-23-002238, in the 126th District Court, Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).
61. Discuss legal issues related to City of Austin v. Lonestar Holdings, LLC, Cause No. C-1-PB-22-001462 in the Travis County District Court, and Lonestar Holdings, LLC v. City of Austin, Cause No. 1:22-cv-00770, in the United States District Court for the Western Division, Austin, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

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

62. 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, 4029, 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

63. 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, 4029, 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

64. 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 rezone from single family residence 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 residence standard lot (SF-2) district zoning. Owner/Applicant: Abraham Birgani. City Staff: Sherri Sirwaitis, Planning Department, 512-974-3057. A valid petition has been filed in opposition to this rezoning case.

District(s): District 6

65. C14-2022-0159 - Standing Rock Residential - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5715 Standing Rock Drive (West Bull Creek Watershed). Applicant Request: To rezone from rural residence (RR) district zoning to single family residence large lot-conditional overlay (SF-1-CO) combining district zoning. Staff Recommendation: To grant single family residence large lot-conditional overlay (SF-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant single family residence large lot-conditional overlay (SF-1-CO) combining district zoning, with additional conditions. Owner/Applicant: Steven Beim. Agent: Thrower Design, LLC (A. Ron Thrower). City Staff: Sherri Sirwaitis, Planning Department, 512-974-3057.

District(s): District 10

66. C14-2022-0205 - Denny's Condos - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1601 North IH 35 Service Road Northbound (Waller Creek Watershed). Applicant Request: To rezone from limited industrial-planned development agreement-neighborhood plan (LI-PDA-NP) combining district zoning, as amended. Staff recommendation: To grant commercial highway-vertical mixed use building-conditional overlay-neighborhood plan (CH-V-CO-NP) combining district zoning. Planning Commission recommendation: To grant limited industrial-planned development agreement-neighborhood plan (LI-PDA-NP) combining district zoning, with additional conditions. Owner/Applicant: McGrane Living Trust. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Joi Harden, (512) 974-1617.

District(s): District 1

67. C14H-2023-0024 - Lewallen House - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1700 Hartford Road (Johnson Creek Watershed). Applicant Request: To rezone from family residence (SF-3) to family residence-historic landmark (SF-3-H) combining district zoning. Staff Recommendation, Historic Landmark Commission Recommendation, and Planning Commission Recommendation: Grant family residence-historic landmark (SF-3-H) combining district zoning. Planning Commission Recommendation: To be reviewed April 25, 2023. Owner: Nancy Bowles. Applicant: O'Connell Architecture, LLC. City Staff: Kalan Contreras, 512-974-2727.

District(s): District 10

68. NPA-2022-0010.01- 2615 - 2617 East 6th Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-43 the Holly Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2615 and 2617 East 6th Street (Ladybird Lake Watershed) from Industry to Mixed Use land use. Staff and Planning Commission Recommendation: To grant Mixed Use land use. Owners/Applicants: Kenneth J. Aune and

Dorothy E. Aune. Agent: Land Use Solutions (Michele Haussmann). City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 3

69. C14-2022-0112 - 2615 and 2617 E. 6th St. - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning properties locally known as 2615 and 2617 East 6th Street. (Lady Bird Lake Watershed). Applicant Request: To rezone from limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner: Kenneth J Aune & Dorothy E Aune. Applicant: Land Use Solutions (Michele Haussmann). City Staff: Jonathan Tomko, 512-974-1057, Planning Department.

District(s): District 3

70. NPA-2022-0014.03 - Chapman 71 - Conduct a public hearing and approve an ordinance amending Ordinance No. 20021010-11, the Southeast Combined Neighborhood Plan (McKinney) 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 5010 Burleson Road; 3503, 3503 1/2 , 3505, 3507, 3533 Chapman Lane, and 4905, 5001, 5005, 5005 1/2 , 5109 East Ben White Boulevard Service Road Eastbound (Carson Creek Watershed) from Industry to Commercial land use. Staff Recommendation: To deny Commercial land use. Planning Commission Recommendation: To grant Commercial land use. Owner/Applicant: PlaceMKR Chapman, LLC. Agent: Armbrust and Brown (Michael J. Whellan). City Staff: Jesse Gutierrez, 512-974-1606, Planning Department.

District(s): District 2

71. C14-2022-0133 - 10701 Dessau Rd. - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 10701 Dessau Road. (Walnut Creek Watershed). Applicant Request: To rezone from single family residence-standard lot (SF-2) district zoning to multifamily residence-moderate high density (MF-4) district zoning. Staff and Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate high density (MF-4) district zoning. Owner: Golden Ember Trust. Applicant: DuBois, Bryant & Campbell, L.L.P. (David Hartman). City Staff: Jonathan Tomko, (512) 974-1057.

District(s): District 1

72. C14-2022-0157 - Domain I and II PDA Amendment -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11506 Century Oaks Terrace and 3414 W. Braker Lane (Shoal Creek and Walnut Creek Watersheds). Applicant Request: To rezone from major industrial-planned development (MI-PDA) combining district zoning to major industrial-planned development (MI-PDA) combining district zoning, to change a condition of zoning. Staff Recommendation and Planning Commission recommendation: To grant major industrial-planned development (MI-PDA) combining district zoning, to change a condition of zoning. Owner/Applicant: The Domain Mall II, LLC and The Domain Mall, LLC. Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Sherri Sirwaitis, 512-974-3057, Planning Department.

District(s): District 7

73. C14-2023-0011 - Eskimo Hut -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 13201 FM 620 Road, Suite 108 (Lake Creek Watershed). Applicant Request: To rezone from community commercial (GR) district zoning to commercial liquor sales (CS-1) district zoning. Staff and Zoning and Platting Commission recommendation: To grant commercial liquor sales (CS-1) district zoning. Owner/Applicant: Austin Vitoria Plaza LLC & Spencer Landing LLC & Title Max Houston LLC (Caspar Chou). Agent: Carrie Mahan. City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 6

74. C14H-2022-0176 - Broken Spoke - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3201 South Lamar Boulevard (West Bouldin Creek Watershed). Applicant Request: To rezone from commercial services (CS) to commercial services-historic landmark (CS-H). Staff, Historic Landmark Commission, and Planning Commission Recommendation: To grant commercial services-historic landmark (CS-H) combining district zoning. Owners: Annetta White (business); HLLC CWS 704 SPE LLC (land). Applicant: City of Austin Historic Preservation Office (Council-initiated). City Staff: Kalan Contreras, 512-974-2727.

District(s): District 5

75. NPA-2022-0009.01 - 1007 and 1021 East 7th Street - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-41, the Central East Austin Neighborhood Plan and Ordinance No. 20081211-082 the Plaza Saltillo (TOD) Station Area Plan, an element of the Imagine Austin Comprehensive Plan to allow a base maximum building height of 90 feet on property locally known as 1007 and 1021 East 7th Street (Waller Creek Watershed). Staff and Planning Commission Recommendation: To grant a base maximum building height of 90 feet. Owner/Applicant: 1007 East 7th Street (Austin) Owner, L.P. and 1021 East 7th Street (Austin) Owner, L.P. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 3

76. C14-2022-0149 - 1007 and 1021 East 7th Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1007 and 1021 East 7th Street (Waller Creek - Urban Watershed). Applicant Request: To rezone from transit oriented development-neighborhood plan (TOD-NP) combining district zoning to transit oriented development-neighborhood plan (TOD-NP) combining district zoning, to change a condition of zoning. Staff Recommendation and Planning Commission Recommendation: To grant transit oriented development-neighborhood plan (TOD-NP) combining district zoning, to change a condition of zoning. Owner/Applicant: 1007 East 7th Street (Austin) Owner, L.P. and 1021 East 7th Street (Austin) Owner, L.P. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Joi Harden, Planning Department, 512-974-1617.

District(s): District 3

77. C14-2022-0040 - Pioneer Hill Plaza - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 10017 1/2 Dessau Road and 1501 1/2 Arborside Drive (Walnut Creek Watershed). Applicant Request: To rezone

from multifamily residence medium density-conditional overlay (MF-3-CO) combining district zoning to general commercial services (CS) district zoning. Staff and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, with conditions. Owner: Continental Homes of Texas (John Sparrow). Applicant: Doan & Associates (Julie Doan). City Staff: Joi Harden, Planning Department, 512-974-1617.

District(s): District 1

78. NPA-2022-0015.03 - Darby Yard 700 - 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 3506 and 3512 Darby Street, 6315, 6401, 6409, 6417 1/2, and 6505 Wilcab Road, and 6118, 6204 and 6414 Hudson Street (Fort Branch Creek and Walnut Creek Watersheds) from Commercial, Transportation, and Industry to Mixed Use land use. Staff and Planning Commission Recommendation: To grant Mixed Use land use. Owners/Applicants: Darby Yard, LLC (Franklin Sapp); Triple L, Group, LLC (Frank Roberts); Stay Taylor, LP (Jason Martin); Brenda Kay (formally known as Brenda Kay Winn) and James Jackson; Rehoboth Baptist Church (Rev. Ray Hendricks). Agent: Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 1

79. C14-2022-0105 - Darby Yard - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3506 and 3512 Darby Street, 6315, 6401, 6409, 6417 1/2, and 6505 Wilcab Road, and 6118, 6204 and 6414 Hudson Street (Fort Branch Creek and Walnut Creek Watersheds). Applicant Request: To rezone from limited industrial services-neighborhood plan (LI-NP) combining district zoning, industrial park-neighborhood plan (IP-NP) combining district zoning, and general commercial services-neighborhood plan (CS-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. Owner: James T. Stewart; Saul & Arnold Sanchez; Hudson MF3 Holdings, LLC; Frank Young; Graper, LLC. Applicant: Alice Glasco Consulting (Alice Glasco). City Staff: Joi Harden, Planning Department, 512-974-1617.

District(s): District 1

80. NPA-2022-0015.04 - Hudson #3 - 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 6115, 6117, 6201, and 6305 Hudson Street and 6300 and 6308 Harold Court (Fort Branch and Boggy Creek Watershed) from Commercial, Transportation, and Mixed Use to Multifamily Residential land use. Staff and Planning Commission Recommendation: To grant Multifamily Residential land use. Owners/Applicants: James T. Stewart; Saul Sanchez and Arnold Sanchez; Hudson MF3 Holdings, LLC; Graper, LLC (Pablo Gracia); and Frank Young. Agent: Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 1

81. C14-2022-0106 - Hudson #3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6115, 6117, 6201, and 6305 Hudson Street and 6300 and 6308 Harold Court (Fort Branch and Boggy Creek Watersheds). Applicant Request: To rezone from community commercial-mixed-use-neighborhood plan (GR-MU-NP) combining district zoning and general commercial services-neighborhood plan (CS-NP) combining district zoning to multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning. Owner: James T. Stewart; Saul & Arnold Sanchez; Hudson MF3 Holdings, LLC; Frank Young; Graper, LLC. Applicant: Alice Glasco Consulting (Alice Glasco). City Staff: Joi Harden, Planning Department, 512-974-1617.

District(s): District 1

82. C14-2023-0009 - 2130 Goodrich Avenue - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2130 Goodrich Avenue (West Bouldin Creek Watershed). Applicant Request: To rezone from general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning to general commercial services-mixed use (CS-MU) combining district zoning. Staff and Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner/Applicant: 2130 Goodrich Ave Partners LP (Christopher Affinito). Agent: Drenner Group, PC (Leah Bojo). City Staff: Joi Harden, Planning Department, 512-974-1617.

District(s): District 5

83. C14-2022-0143 - 7611 Jester Boulevard Rezone -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7611 Jester Boulevard (Bull Creek Watershed). Applicant Request: To rezone from single-family residence standard lot (SF-2) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant urban family residence (SF-5) district zoning. Zoning and Platting Commission Recommendation: To grant urban family residence-conditional overlay (SF-5-CO) combining district zoning. Owner/Applicant: Bandali Builders (Aman Bandali). Agent: Keepers Land Planning (Ricca Keepers). City Staff: Sherri Sirwaitis, Planning Department, 512-974-3057.

District(s): District 10

84. C14-2022-0027 - RedLeaf Highland - Tract 12 -Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 6000, 6010, and 6200 Middle Fiskville Road (Tannehill Branch Watershed). Applicant Request: To rezone from general commercial services-mixed use-vertical mixed-use building-neighborhood plan (CS-MU-V-NP) combining district zoning and commercial-liquor sales-mixed use-vertical mixed-use building-neighborhood plan (CS-1-MU-V-NP) combining district zoning to limited industrial-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. First Reading approved May 4, 2023. Vote: 11-0. Owner/Applicant: Austin H I Borrower, LLC; Middle Fiskville Development, LTD. Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 4

85. C14-2022-0028 - RedLeaf Highland - Tract 3 -Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 618 East Highland Mall Boulevard (Tannehill Branch Watershed). Applicant Request: To rezone from general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning to limited industrial-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. First Reading approved May 4, 2023. Vote: 11-0. Owner/Applicant: Austin Community College District. Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 4

86. C14-2022-0029 - RedLeaf Highland - Tract 5 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 523 East Highland Mall Boulevard (Tannehill Branch Watershed). Applicant Request: To rezone from general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning to limited industrial-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. First Reading approved May 4, 2023. Vote: 11-0. Owner/Applicant: HM Land 3, LLC. Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 4

87. C14-2022-0030 - RedLeaf Highland - Tract 4 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 6403 and 6413 Airport Boulevard (Tannehill Branch Watershed). Applicant Request: To rezone from general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning to limited industrial-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. First Reading approved May 4, 2023. Vote: 11-0. Owner/Applicant: HM Land 2, LLC. Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 4

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.

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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.



City of Austin

301 W. Second Street
Austin, TX and some
members of City
Council may be
participating by
videoconference

Agenda

City Council Addendum Agenda

Thursday, May 18, 2023

10:00 AM

Austin City Hall

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.

10:00 AM – City Council Convenes

Consent Agenda

Law

- 88.** Authorize payment of a judgment and court costs in Maria del Rosario Membreno Lopez as Next Friend of Jaime Antonio Membreno Lopez v. City of Austin d/b/a Austin Energy, et al, Cause No. D-1-GN-15-004371 in the 98th District Court, Travis County, Texas, in an amount not to exceed \$3,067,000.

Police

- 89.** 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 two fees for reimbursed special events.

Adjourn

Note: The above item(s) will be considered under its respective category, but follow the last number on the Austin, Texas, City Council Agenda for Thursday, May 18, 2023

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