

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, MAY 18, 2023**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, May 18, 2023, at Austin City Hall, 301 W. 2nd Street, Austin, TX and via videoconference.

**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

**Mayor Watson called the Council Meeting to order at 10:00 a.m. Council Member Harper-Madison appeared via videoconference.**

**CONSENT AGENDA**

**The following items were acted on by one motion.**

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) Affected:

District 9. May 8, 2023- Recommended by the Electric Utility Commission on a 7-0 vote, with Commissioners Blackburn, Bowen and Hopkins absent and one vacancy.

**The motion authorizing reimbursement of costs to DW CAL 308 Guadalupe, LLC was approved on consent without objection.**

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. May 10, 2023 – Recommended by the Water and Wastewater Commission on a 6-0 vote, with zero absent and five vacancies.

**The motion approving Service Extension Request No. 5650 was approved on consent without objection.**

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. May 10, 2023 – Recommended by the Water and Wastewater Commission on a 6-0 vote, with zero absent and five vacancies.

**The motion approving Service Extension Request No. 5672 was approved on consent without objection.**

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.

**Resolution No. 20230518-004 was approved on consent without objection.**

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.

**Ordinance No. 20230518-005 was approved on consent without objection.**

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.

**Ordinance No. 20230518-006 was approved on consent without objection.**

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. May 10, 2023 – Recommended by the Water and Wastewater Commission on a 6-0 vote, with zero absent and five vacancies.

**Resolution No. 20230518-007 was approved on consent without objection.**

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].

**The motion authorizing negotiation and execution of a contract with Brymer Communication Services, LLC doing business as Brycomm, LLC was approved on consent without objection.**

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].

**The motion authorizing negotiation and execution of a contract with Brightly Software, Inc. was approved on consent without objection.**

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]. May 10, 2023 – Recommended by the Water and Wastewater Commission on a 6-0 vote, with zero absent and five vacancies.

**The motion authorizing execution of a contract with J Arbor Contracting LLC was approved on consent without objection.**

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].

**The motion authorizing an amendment to a contract with Capital Investing in Development and Employment of Adults Inc. doing business as Capital IDEA was approved on consent without objection.**

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].

**The motion authorizing negotiation and execution of a contract with ARAG Services, LLC, a subsidiary of ARAG North America, Inc. doing business as ARAG, LLC was approved on consent without objection.**

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].

**The motion authorizing an amendment to a contract with Worksource Greater Austin Area Workforce Board doing business as Workforce Solutions Capital Area Workforce Board was approved on consent without objection.**

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].

**The motion authorizing negotiation and execution of a contract with Siemens Industry, Inc. doing business as Russelectric was approved on consent without objection.**

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 \$2,610,000. [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].

**The motion authorizing negotiation and execution of a contract with Enterprise Holdings, Inc. doing business as EAN Services LLC was approved on consent without objection.**

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].

**The motion authorizing an amendment to a contract with Nalco Company LLC doing business as Nalco Company was approved on consent without objection.**



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) Affected: District 2.

**The motion authorizing an amendment to a contract with HNTB Corporation was approved on consent without objection.**

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) Affected: District 1.

**The motion authorizing an amendment to a contract with Trahan Architects APAC was approved on consent without objection.**

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) Affected: District 5, District 8. May 10, 2023 – Recommended by the Water and Wastewater Commission on a 6-0 vote, with zero absent and five vacancies.

**The motion authorizing negotiation and execution of two contracts with Freese and Nichols, Inc. and Tetra Tech, Inc., or other qualified respondents was approved on consent without objection.**

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].

**The motion authorizing execution of a contract with Weston Solutions, Inc. was approved on consent without objection.**

**The following direction was given to staff by Council Member Alison Alter and included without objection:**

**“Continue the work to advance EV ready building codes so that we can construct our community’s buildings for the future with the technology needed to enhance our sustainability and resilience. Engage with the federal grants that are available.”**

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].

**The motion authorizing negotiation and execution of a contract with Carahsoft Technology Corp. was approved on consent without objection.**

**Item 22 was pulled for discussion.**

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].

**Withdrawn.**

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.

**The motion authorizing negotiation and execution of a contract with Sanders\Wingo was approved on consent on a 10-1 vote. Council Member Kelly voted nay.**

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.

**This item was withdrawn and replaced with item 88.**

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.

**Ordinance No. 20230518-026 was approved on consent without objection.**

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.

**This item was withdrawn and replaced with item 89.**

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.  
**Resolution No. 20230518-028 was approved on consent without objection.**
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.  
**The motion authorizing negotiation and execution of an agreement with Raising Austin doing business as Together4Children was approved on consent without objection.**
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.  
**The motion authorizing negotiation and execution of an interlocal agreement with the Texas Department of State Health Services was approved on consent without objection.**
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.  
**The motion authorizing negotiation and execution of Amendment No. 4 to the agreement with Catholic Charities of Central Texas was approved on consent without objection.**
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.  
**The motion authorizing negotiation and execution of an interlocal agreement with Del Valle Independent School District was approved on consent without objection.**
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.  
**The motion authorizing negotiation and execution of an interlocal agreement with Austin Independent School District was approved on consent without objection.**
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.  
**The motion authorizing negotiation and execution of an interlocal agreement with Leander Independent School District was approved on consent without objection.**
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.

**The motion authorizing negotiation and execution of Amendment No. 9 to the agreement with Austin Travis County Mental Health Mental Retardation Center, doing business as Integral Care was approved on consent without objection.**

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) Affected: District 1, District 3.

**Resolution No. 20230518-036 was approved on consent without objection.**

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) Affected: District 7.

**Ordinance No. 20230518-037 was approved on consent without objection.**

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) Affected: District 2, District 6.

**Resolution No. 20230518-038 was approved on consent without objection.**

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.

**Resolution No. 20230518-039 was approved on consent without objection.**

#### **ITEMS 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.

**The motion to approve Ordinance No. 20230518-040 and the following appointments and waivers was approved on consent without objection.**

## Nominations

<b>Board/Nominee</b>	<b>Nominated by</b>
<b><u>2024 Charter Review Commission</u></b> Alejandro "Alex" Garcia Limon	Council Member Fuentes
<b><u>2024 Charter Review Commission</u></b> Michael Lavigne	Council Member Pool
<b><u>2024 Charter Review Commission</u></b> Cynthia Van Maanen	Council Member Velásquez
<b><u>Arts Commission</u></b> Faiza Kracheni	Council Member Qadri
<b><u>Austin Travis County Food Policy Board</u></b> Mark Bethell	Mayor Watson
<b><u>Austin Travis County Food Policy Board</u></b> Larry Franklin	Mayor Watson
<b><u>Building and Standards Commission</u></b> Michael Francis	Mayor Watson
<b><u>Codes and Ordinances Joint Committee</u></b> Greg Anderson	Planning Commission
<b><u>Commission for Women</u></b> Becky Bullard	Council Member Qadri
<b><u>Commission on Veterans Affairs</u></b> Patrick Bissett Jr	Council Member Pool
<b><u>Community Technology and Telecommunications Commission</u></b> Janine Clark	Council Member Qadri
<b><u>Comprehensive Plan Joint Committee</u></b> Hank Smith	Zoning and Platting Commission
<b><u>Design Commission</u></b> Brendan Wittstruck	Council Member Qadri
<b><u>Downtown Austin Community Court Advisory Board</u></b> Robin Gardner	Council Member Vela
<b><u>Downtown Commission</u></b> David Holmes	Public Safety Commission
<b><u>Early Childhood Council</u></b> Choquette Hamilton	Mayor Watson



**Economic Prosperity Commission**

Audrey Cannon

Council Member Qadri

**Environmental Commission**

Perry Bedford

Mayor Watson

**Historic Landmark Commission**

JuanRaymon Rubio

Council Member Fuentes

**Impact Fee Advisory Commission**

Bobak Tehrany

Mayor Watson

**Joint Inclusion Committee**

Richard Bondi

Commission on Aging

**Joint Inclusion Committee (Alternate)**

Teresa Sansone Ferguson

Commission on Aging

**Joint Inclusion Committee**

Kimberly Brienzi

Human Rights Commission

**Joint Inclusion Committee (Alternate)**

Morgan Davis

Human Rights Commission

**Joint Inclusion Committee (Alternate)**

Elisabeth Meyer

Mayor's Committee for People with Disabilities

**Joint Sustainability Committee**

Bertha Delgado

Community Development Commission

**Joint Sustainability Committee (Alternate)**

Miriam Garcia

Community Development Commission

**Joint Sustainability Committee**

Christopher Maxwell-Gaines

Water and Wastewater Commission

**Mechanical and Plumbing Board**

Robert "Blaine" Butler

Mayor Watson

**Parks and Recreation Board**

Julie Hayes

Council Member Pool

**Public Safety Commission**

Yasmine Smith

Council Member Qadri

**Small Area Planning Joint Committee**

William Floyd

Zoning and Platting Commission

**South Central Waterfront Advisory Board**

Julia Woods

Community Development Commission

**Reappointments****Urban Renewal Board\***

Darrell Pierce

Mayor Watson

**Urban Renewal Board\***

Amit Motwani

Mayor Watson

**Urban Renewal Board\***

Jacqueline Watson

Mayor Watson

**Urban Renewal Board\***

Manuel Escobar

Mayor Watson

**\*Term effective August 1, 2023****Waivers**

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Susan Turrieta. The waiver allows simultaneous service on the Impact Fee Advisory Committee and Water and Wastewater Commission.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Michael Francis on the Building and Standards Commission.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Robert "Blaine" Butler on the Mechanical and Plumbing Board.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Choquette Hamilton on the Early Childhood Council.

Approve a waiver of the filing deadline for the statement of financial information as prescribed in Sections 2-1-25 and 2-7-72 of the City Code and establishing a new deadline of June 20, 2023, for the following members:

Kevin Ramberg	Environmental Commission
Raymond Castillo	Historic Landmark Commission
Ben Heimsath	Historic Landmark Commission

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. Council Sponsors: Council Member Zohaib "Zo" Qadri, Council Member Vanessa Fuentes, Council Member José "Chito" Vela, Council Member Leslie Pool, Council Member José Velásquez.

**The motion approving the waiver or reimbursement of certain fees for the 2023 Texas State Employees Union Lobby Day and March was approved on consent on a 10-0 vote. Council Member Kelly abstained.**

42. Approve the waiver or reimbursement of certain fees for the Texas Peace Officers' Memorial Procession that was held on April 30, 2023. Council Sponsors: Council Member Mackenzie Kelly, Mayor Kirk Watson, Council Member Alison Alter, Council Member José Velásquez, Council Member Zohaib "Zo" Qadri, Council Member José "Chito" Vela, Council Member Natasha Harper-Madison, Council Member Ryan Alter.  
**The motion approving the waiver or reimbursement of certain fees for the Texas Peace Officers' Memorial Procession was approved on consent without objection.**
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. Council Sponsors: Council Member Alison Alter, Council Member Zohaib "Zo" Qadri, Council Member Mackenzie Kelly, Council Member Ryan Alter, Mayor Pro Tem Paige Ellis.  
**Ordinance No. 20230518-043 was approved on consent without objection.**
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. Council Sponsors: Mayor Pro Tem Paige Ellis, Council Member Ryan Alter, Council Member José Velásquez, Council Member Leslie Pool, Council Member Zohaib "Zo" Qadri.  
**Resolution No. 20230518-044 was approved on consent without objection.**
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. Council Sponsors: Council Member Vanessa Fuentes, Council Member José Velásquez, Council Member José "Chito" Vela, Council Member Ryan Alter, Council Member Natasha Harper-Madison.  
**Resolution No. 20230518-045 was approved on consent without objection.**
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. Council Sponsors: Council Member José Velásquez, Council Member Ryan Alter, Council Member Vanessa Fuentes, Council Member Zohaib "Zo" Qadri, Council Member José "Chito" Vela, Council Member Leslie Pool.  
**Resolution No. 20230518-046 was approved on consent without objection.**
47. Approve the additional waiver or reimbursement of certain fees for the Austin Sunshine Run to be held on May 7, 2023. Council Sponsors: Council Member Zohaib "Zo" Qadri, Council Member Ryan Alter, Council Member Leslie Pool, Mayor Pro Tem Paige Ellis.  
**The motion approving the additional waiver or reimbursement of certain fees for the Austin Sunshine Run was approved on consent without objection.**
48. Approve an ordinance waiving or reimbursing certain fees for the Austin Citywide Iftar hosted by the Minaret Foundation on April 2, 2023. Council Sponsors: Council Member Zohaib "Zo" Qadri, Council Member Alison Alter, Council Member José "Chito" Vela, Council Member José Velásquez.  
**Ordinance No. 20230518-048 was approved on consent without objection.**

**ITEMS TO SET PUBLIC HEARINGS**

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).  
**The public hearing was set for June 8, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent without objection.**
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.)  
**The public hearing was set for June 1, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent without objection.**
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) Affected: District 1.  
**The public hearing was set for June 1, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent without objection.**
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) Affected: District 5.  
**The public hearing was set for June 1, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent without objection.**

**EXECUTIVE SESSION**

**The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.**

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).

**Withdrawn.**

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).

**Withdrawn.**

### **AGENDA ADDENDUM**

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.

**The motion authorizing 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 doing business as Austin Energy, et al, Cause No. D-1-GN-15-004371 was approved on consent without objection.**

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.

**Ordinance No. 20230518-089 was approved on consent without objection.**

### **AUSTIN HOUSING AND FINANCE CORPORATION MEETING**

**Mayor Watson recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 10:55 a.m. See separate minutes.**

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/department/city-council/2023/20230518-ahfc.htm>).

**Mayor Watson reconvened the Council Meeting at 11:03 a.m.**

### **DISCUSSION ITEM**

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]. May 15, 2023- Recommended by the Public Safety Commission on a 7-0 vote, with one absent, one abstain, and two vacancies.

**A motion to postpone the item to June 1, 2023, was made by Council Member Ryan Alter and seconded by Council Member Qadri.**

**The motion to postpone the item to June 1, 2023, was approved on a 9-2 vote. Those voting aye were Mayor Pro Tem Ellis, Council Members Alison Alter, Ryan Alter, Fuentes, Harper-Madison, Pool, Qadri, Vela, and Velásquez. Those voting nay were Mayor Watson and Council Member Kelly.**

#### **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) Affected: District 9.  
**This item was postponed to July 20, 2023, without objection.**

**Item 55 was pulled for discussion.**

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.  
**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-056 was approved on Council Member Pool's motion, Mayor Pro Tem Ellis' second without objection.**

**Item 57 was pulled for discussion.**

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.  
**A motion to approve the ordinance on first reading only was made by Council Member Pool and seconded by Council Member Alison Alter.**

**An amendment to the motion to approve the ordinance on all three readings was made by Council Member Pool, seconded by Mayor Watson, and accepted without objection.**

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-058 was approved on Council Member Pool's motion, Council Member Alison Alter's second without objection.**

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. May 9, 2023 – Planning Commission approved staff's

recommendation to amend the Austin Independent School District interlocal agreement on Commissioner Connolly's motion, Commissioner Woods' second on a vote of 12-0 with one vacancy.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-059 was approved on Council Member Alison Alter's motion, Mayor Pro Tem Ellis' second without objection.**

**Mayor Watson recessed the meeting at 11:19 a.m. without objection.**

**Mayor Watson reconvened the Council Meeting at 12:00 p.m.**

**PUBLIC COMMUNICATION: GENERAL**

Lily Gordy - Accessibility of city council meetings – **Not present.**

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. – **Present.**

Ryan Albright- Mearns meadow flooding and city negligence in creek maintenance – **Present.**

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. – **Present.**

Susannah Ramshaw - Little Walnut Creek flood event on April 21, 2023 and Little Walnut Creek Flood Mitigation Program – **Not present.**

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

Jordan Price - Flood remediation – **Not present.**

Sai Keerthi Grant- Flooding of Mearns Meadow due to lack of creek maintenance – **Present.**

Glen Moorman- Mearns Meadow flood of April 20 and the Little Walnut Creek Flood Reduction Project. – **Not present.**

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

### **LIVE MUSIC**

Tinted Vision

**Mayor Watson recessed the meeting at 12:19 p.m. without objection.**

**Mayor Watson reconvened the Council Meeting at 2:01 p.m.**

### **ZONING AND NEIGHBORHOOD PLAN AMENDMENTS**

**Items 57 and 71 were acted on in one combined motion.**

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.

**This item was postponed to June 1, 2023, at the request of the Neighborhood without objection.**

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) Affected: District 1.

**This item was postponed to June 1, 2023, at the request of the Neighborhood without objection.**

**Items 62, 63, and 64 were pulled for discussion.**

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) Affected: District 10.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-065 for single family residence large lot-conditional overlay (SF-1-CO) combining district zoning, with additional conditions was approved as amended without objection.**

**The amendment was to add “Maximum building coverage is 8.82 percent.” to Part 2 and edit line 28 to read as follows: “Maximum impervious cover is 31.6 percent.”**

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) Affected: District 1.

**This item was postponed to June 1, 2023, at the request of Staff without objection.**

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) Affected: District 10.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-067 for family residence-historic landmark (SF-3-H) combining district zoning was approved without objection.**

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) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-068 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved without objection.**

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) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-069 for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved without objection.**

**Item 70 was pulled for discussion.**

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) Affected: District 7.



**The motion to approve the ordinance on first reading only was approved without objection.**

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) Affected: District 6.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-073 for commercial liquor sales (CS-1) district zoning was approved without objection.**

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) Affected: District 5.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-074 for commercial services-historic landmark (CS-H) combining district zoning was approved without objection.**

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) Affected: District 3.

**The motion to approve the ordinance on first reading only was approved without objection.**

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) Affected: District 3.

**The motion to approve the ordinance on first reading only was approved without objection.**

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) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-077 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, with conditions was approved without objection.**

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) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-078 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved without objection.**

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) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-079 for limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved without objection.**

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) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-080 to change the land use designation on the future land use map (FLUM) to Multifamily Residential land use was approved without objection.**

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) Affected: District 1.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-081 for multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning was approved without objection.**

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) Affected: District 5.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-082 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning was approved without objection.**

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) Affected: District 10.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-083 for urban family residence-conditional overlay (SF-5-CO) combining district zoning was approved without objection.**

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) Affected: District 4.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-084 for limited industrial-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved without objection.**

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) Affected: District 4.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-085 for limited industrial-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved without objection.**

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) Affected: District 4.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-086 for limited industrial-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved without objection.**

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) Affected: District 4.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-087 for limited industrial-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning was approved without objection.**

#### **PUBLIC HEARINGS CONTINUED**

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.

**The motion to approve the ordinance on second reading only was approved on Council Member Ryan Alter's motion, Mayor Pro Tem Ellis' second on a 10-0 vote. Council Member Harper-Madison was off the dais.**

#### **ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED**



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) Affected: District 5.  
**A motion to postpone the item to 1:00 p.m. on July 20, 2023, was made by Council Member Ryan Alter and seconded by Mayor Pro Tem Ellis.**

**An amendment to postpone the item to 2:00 p.m. on July 20, 2023, was made on Council Member Ryan Alter's motion, Mayor Pro Tem Ellis' second, and included on a 10-0 vote. Council Member Harper-Madison was off the dais.**

**The item was postponed to 2:00 p.m. on July 20, 2023, on a 10-0 vote. Council Member Harper-Madison was off the dais.**

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) Affected: District 5.  
**A motion to approve the ordinance on second reading only was made by Council Member Ryan Alter and seconded by Mayor Pro Tem Ellis.**

**The following amendment was made by Council Member Ryan Alter, seconded by Mayor Pro Tem Ellis, and included on a 10-0 vote. Council Member Harper-Madison was off the dais.**

**The amendment was to include the following:**

- **"11.6 acres will be dedicated as Parkland. Final boundaries of the Parkland to be established by the Landowner and subject to approval by the City.**

- **Parkland will be dedicated immediately after all improvements are accepted by the City. Improvements will be constructed in accordance with the PUD phasing plan described in a separate exhibit.**
- **If the Landowner provides at least 2.5 acres of open space via a public access easement instead of dedicating the land as Parkland (“open space area”), Landowner may reduce the amount of Parkland to be dedicated by a maximum of 2.5 acres. The open space area may not include Trailhead Overlook.**
- **The Landowner may completely close the open space area to the public for no more than 60 days a year with no more than 50 percent of those closures occurring on weekend days.**
- **In addition, the Landowner may close up to 50 percent of the open space area to the public for use by the Landowner at any time.**
- **Final boundaries of the open space area shall be established by the Landowner and subject to approval by the City.**
- **The public access easement for the open space area must be granted in a form approved by the City Attorney prior to issuance of certificate of occupancy for a development phase that includes the open space area. The public access easement will allow for the closures described above.**
- **A Park Maintenance and Operations Agreement is required when the Landowner dedicates Parkland. This Agreement must address development, operation, and maintenance of the Parkland and other terms identified by exhibit.**
- **The Parkland Development Fee equals the Parkland Development Fee in effect during the 2022 - 2023 fiscal year plus \$700 per residential unit and per hotel unit.**
- **The amount of fee in lieu of Parkland Dedication equals the fee in lieu of Parkland Dedication in effect during the 2022 - 2023 fiscal year.**
- **The Parkland Development Fee is for amenities on the Parkland.**
- **If Landowner elects to provide open space area which results in the Landowner being required to provide fee in lieu for parkland dedication, any additional fee in lieu shall not be used for the Parkland within the PUD.**
- **The Landowner is not required to obtain BCCP approval of the trail master plan permit before submitting a site plan that includes vertical development.**
- **Provided the overall acreage dedicated for Parkland remains the same, a change in the Parkland boundaries is not a substantial amendment.**

- **Council finds participation in the Better Builder Program by Landowner a priority and an element of superiority.**
- **Update PUD Exhibits in accordance with these amendments.”**

**The following direction was also included:**

**“Any shortfalls in funding for development of the Parkland, including those costs associated with off-site trail construction and maintenance related to the BCP Trail Master Plan permit, may be funded by Landowner or another mechanism including a public improvement district (PID).”**

**The motion to approve the ordinance as amended on second reading only was approved on Council Member Ryan Alter’s motion, Mayor Pro Tem Ellis’ second on a 10-0 vote. Council Member Harper-Madison was off the dais.**

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) Affected: District 6.

**The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading to rezone to grant single-family residence standard lot (SF-2) district zoning with direction to come back on June 1, 2023, for the second and third readings was approved on Council Member Kelly’s motion, Council Member Pool’s second on a 7-3 vote. Those voting aye were Mayor Watson, Council Members Alison Alter, Ryan Alter, Kelly, Pool, Vela, and Velásquez. Those voting nay were Mayor Pro Tem Ellis, Council Members Fuentes, and Qadri. Council Member Harper-Madison was off the dais.**

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) Affected: District 2.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230518-070 to change the land use designation on the future land use map (FLUM) to Commercial land use was approved on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was off the dais.**

**Mayor Watson adjourned the meeting at 4:04 p.m. without objection.**

**The minutes were approved on this the 1<sup>st</sup> day of June 2023 on consent on a 10-0 vote. Council Member Harper-Madison was absent.**