

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, JUNE 8, 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, June 8, 2023, at Austin City Hall, 301 W. 2nd Street, Austin, TX and via videoconference.

PROCLAMATIONS

Proclamation – Texas A&M Forest Service Day – To be presented by Mayor Kirk Watson and to be accepted by Chancellor John Sharp of Texas A&M and Al Davis, Interim Director of Forest Services

Proclamation – Men’s Health Awareness Month – To be presented by Council Member Ryan Alter and to be accepted by Dr. Larry Wallace, Jr.

Proclamation – Austin Public Access Television Month – To be presented by Council Member Natasha Harper-Madison and to be accepted by Rondella Hawkins, Telecommunications & Regulatory Affairs Officer

Mayor Watson called the Council Meeting to order at 10:03 a.m. Council Member Pool was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of May 30, 2023 and regular meeting of June 1, 2023.
Withdrawn.
2. Approve an ordinance amending the Fiscal Year 2022-2023 Austin Energy Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept and appropriate \$569,500 in grant funds from the Federal Emergency Management Agency Building

Resilient Infrastructure and Communities program for a smart grid and distribution system design analysis study.

Ordinance No. 20230608-002 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

3. Authorize negotiation and execution of an agreement with the Travis County Healthcare District to provide ground emergency medical transport services to eligible Medical Access Program beneficiaries for a term of one year in an amount not to exceed \$696,822.

The motion authorizing negotiation and execution of an agreement with the Travis County Healthcare District was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

4. Authorize negotiation and execution of an interlocal agreement with Travis County to allow the transfer of retired County computer devices into the inventory of the City's Community PC Program.

The motion authorizing negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

5. Approve an ordinance setting the tax exemption for residence homesteads of individuals 65 years of age or older and persons with disabilities at a value of \$124,000.

Ordinance No. 20230608-005 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

6. Approve an ordinance suspending a rate increase proposed by SiEnergy, LP for natural gas services.

Ordinance No. 20230608-006 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

7. Authorize execution of two contracts for liquid chlorine with DPC Industries, Inc., and DXI Industries, Inc., for a term of five years in an amount not to exceed \$19,000,000, to be divided between the contractors. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing execution of two contracts with DPC Industries, Inc., and DXI Industries, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

8. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire an extension of a temporary working space easement, being approximately 0.048 of an acre (2,098 square feet) tract of land out of the Isaac Decker League Survey No. 20, Travis County, Texas being out of Lot 18-C, Resubdivision of Lot 18, Block 1, Fredericksburg Road Acres, a subdivision of record in Document Number 200600113, Official Public Records of Travis County, Texas, generally located at 2207 Thornton Road, Austin, Texas 78704, from Stuart Linde in an amount not to exceed \$70,000, including closing costs. District(s) Affected: District 5.
The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to acquire an extension of a temporary working space easement, being approximately 0.048 of an acre (2,098 square feet) tract of land out of the Isaac Decker League Survey No. 20, Travis County, Texas being out of Lot 18-C, Resubdivision of Lot 18, Block 1, Fredericksburg Road Acres, a subdivision of record in Document Number 200600113, Official Public Records of Travis County, Texas, generally located at 2207 Thornton Road, Austin, Texas 78704, from Stuart Linde was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.
9. Authorize negotiation and execution of a contract for staffing and engineering services for the Mobility Management Center operations with Kimley-Horn and Associates, Inc., for up to eight years in an amount not to exceed \$20,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.
The motion authorizing negotiation and execution of a contract with Kimley-Horn and Associates, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.
10. Authorize an amendment to a contract for architectural design services for the Faulk Library/History Center and Archival Repository Expansion project with Lord Aeck and Sargent, Inc., to increase the amount by \$250,000 for a revised total contract amount not to exceed \$1,925,000. [Note: This amendment was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 9.13% MBE and 11.12% WBE]. District(s) Affected: District 9.
The motion authorizing an amendment to a contract with Lord Aeck and Sargent, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.
11. Authorize an amendment to a contract for the Emma S. Barrientos Mexican American Cultural Center Phase 2 project with Rogers - O'Brien Construction Company, LLC, to increase the amount by \$3,140,000 for a revised total contract amount not to exceed \$25,140,000. [Note: This amendment will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement

Program) Current participation for Pre-Construction phase is 22.24% MBE and 0% WBE]. District(s) Affected: District 9.

The motion authorizing an amendment to a contract with Rogers - O'Brien Construction Company, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

12. Authorize an amendment to a contract for the Emma S. Barrientos Mexican American Culture Center Phase 2 project with the Joint Venture of Miro Rivera Architects Inc. and Tatiana Bilbao SC (Miro Rivera/Tatiana Bilbao, LLC), to increase the amount by \$1,300,000, for a revised total contract amount not to exceed \$5,200,000. [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 8.75% MBE and 12.77% WBE]. District(s) Affected: District 9.

The motion authorizing an amendment to a contract with the Joint Venture of Miro Rivera Architects Inc. and Tatiana Bilbao SC (Miro Rivera/Tatiana Bilbao, LLC) was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

13. Authorize execution of a contract for the collection, transportation, processing, and disposal of hazardous waste with Clean Harbors Environmental Services Inc., for a term of five years in an amount not to exceed \$12,550,000. [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 execution of a contract with Clean Harbors Environmental Services Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

14. Authorize negotiation and execution of a contract for respiratory protective masks, equipment, and accessories with Mallory Safety and Supply, LLC, in an amount not to exceed \$82,900. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of a contract with Mallory Safety and Supply, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

15. Authorize negotiation and execution of three contracts for asbestos, lead, and mold abatement services and demolition with AAR Inc., Building Abatement Demolition Company, Inc. d/b/a BAD Company, Inc., and SISK-ROBB Inc., each for a term of five years for total contract amounts not to exceed \$11,500,000, divided among the

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

The motion authorizing negotiation and execution of three contracts with AAR Inc., Building Abatement Demolition Company, Inc. doing business as BAD Company, Inc., and SISK-ROBB Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

16. Authorize negotiation and execution of a contract for enterprise security information and event management software products and services with DeSpain & Associates, Inc. d/b/a DAI Source, for a term of three years in an amount not to exceed \$440,000. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services required for this procurement, there were insufficient or no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of a contract with DeSpain & Associates, Inc. doing business as DAI Source was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

17. Authorize negotiation and execution of three contracts for high security fencing with Barrier Fence, LLC, Tony Parent Enterprises, Inc. d/b/a Allied Fence & Security, and Woolery Custom Fence Co, in the amount of \$7,000,000, divided among the contractors. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of three contracts with Barrier Fence, LLC, Tony Parent Enterprises, Inc. doing business as Allied Fence & Security, and Woolery Custom Fence Co was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

18. Authorize an amendment to a contract for the continued rental of temporary traffic control devices and roadway pavement marking services with Victor Pena d/b/a Pena's Traffic Services, LLC, to increase the amount by \$3,414,000 and to extend the term by two years for a revised total contract amount not to exceed \$8,334,000. [Note: This contract was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing an amendment to a contract with Victor Pena doing business as Pena's Traffic Services, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

19. Authorize negotiation and execution of three contracts for maintenance, repair, and operation equipment, supplies, and services with W. W. Grainger, Inc. d/b/a Grainger, Fastenal Company, and SID Tool Co., Inc. d/b/a MSC Industrial Supply Co., each for up to 65 months for total contract amounts not to exceed \$53,285,000, divided among the contractors. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of three contracts with W. W. Grainger, Inc. doing business as Grainger, Fastenal Company, and SID Tool Co., Inc. doing business as MSC Industrial Supply Co. was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

20. Authorize negotiation and execution of nine contracts for world language books with ALM Holdings Corporation d/b/a Chulainn Publishing Corp., D&Z House of Books, Inc. d/b/a Dom Ksiazki, Inc., India Children's Press d/b/a India For Everyone, Asala Publishing & Distribution d/b/a Jarir Bookstore, Kol-Ami, Inc., Latin American Book Source Inc., Lectorum Publications d/b/a Lectorum, Inc., Sentrum Marketing, LLC, and Tsai Fong Books, Inc., each for a term of five years for total contract amounts not to exceed \$1,860,000, divided among the contractors. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of nine contracts with ALM Holdings Corporation doing business as Chulainn Publishing Corp., D&Z House of Books, Inc. doing business as Dom Ksiazki, Inc., India Children's Press doing business as India For Everyone, Asala Publishing & Distribution doing business as Jarir Bookstore, Kol-Ami, Inc., Latin American Book Source Inc., Lectorum Publications doing business as Lectorum, Inc., Sentrum Marketing, LLC, and Tsai Fong Books, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

21. Authorize negotiation and execution of a contract for onsite archival scanning services with ARC Document Solutions, LLC, for a term of 18 months in an amount not to exceed \$95,000. [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 ARC Document Solutions, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

22. Authorize negotiation and execution of a contract for an online video streaming service with Kanopy, Inc., for a term of five years in an amount not to exceed \$500,000. [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 Kanopy, Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

23. Authorize negotiation and execution of a contract for helicopter parts with Airbus Helicopters Inc., for a term of five years in an amount not to exceed \$825,000. [Note: Sole source contracts are exempt from the City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of a contract with Airbus Helicopters Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

24. Authorize negotiation and execution of two contracts to provide ammunition with GT Distributors Inc. d/b/a GT Distributors - Austin and Precision Delta Corp., each for up to 34 months for total contract amounts not to exceed \$2,100,000, divided between the contractors. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of two contracts with GT Distributors Inc. doing business as GT Distributors - Austin and Precision Delta Corp. was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

25. Authorize negotiation and execution of three contracts for Cisco and Meraki products and services with CDW LLC, Insight Public Sector Inc. d/b/a Insight Public Sector, and Presidio Networked Solutions Inc. d/b/a Presidio Networked Solutions Group LLC, each for a term of five years for total contract amounts not to exceed \$72,000,000, to be divided among the contractors. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services required

for this procurement, there were insufficient or no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of three contracts with CDW LLC, Insight Public Sector Inc. doing business as Insight Public Sector, and Presidio Networked Solutions Inc. doing business as Presidio Networked Solutions Group LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

26. Authorize negotiation and execution of a contract for benefits administration with Total Administrative Service Corporation d/b/a TASC, for up to five years for a total contract amount not to exceed \$697,000. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of a contract with Total Administrative Service Corporation doing business as TASC was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

27. Authorize execution of a contract for erosion control items with Wolseley Investment d/b/a Ferguson Enterprises, LLC, for a term up to five years for a total contract amount not to exceed \$1,045,476. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this solicitation, there were no subcontracting opportunities].

The motion authorizing negotiation and execution of a contract with Wolseley Investment doing business as Ferguson Enterprises, LLC was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

28. Authorize an amendment to a contract for continued cloud-based pension modeling software including maintenance, support, and licenses with GovInvest, to increase the amount by \$283,725 and to extend the term by three years, for a revised total contract amount not to exceed \$415,725. [Note: Sole source contracts are exempt from the City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established].

The motion authorizing an amendment to a contract with GovInvest was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

29. Authorize negotiation and execution of a lease agreement with The Salvation Army for a 12-month term for the former Salvation Army Downtown Center, consisting of approximately 66,825 square feet of building space and surface parking lot, situated on a 1.01-acre site, located at 501 East 8th Street, Austin, Texas 78701, for an amount not to exceed \$1,268,256. District(s) Affected: District 9.

The motion authorizing negotiation and execution of a lease agreement with The Salvation Army was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

30. Authorize negotiation and execution of a contract for stormwater sensors and accessories with CC Lynch & Associates Inc., for up to five years for a total contract amount not to exceed \$420,177. [Note: Sole source contracts are exempt from the City Code Chapter 2-9 D (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 CC Lynch & Associates Inc. was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

31. Approve an ordinance accepting Federal Emergency Management Agency Public Assistance grant funds from the Texas Department of Emergency Management; and amending the Fiscal Year 2022-2023 Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to appropriate funding in the amount of \$297,110 for the following departments: Development Services Department, Building Services Department, Austin Fire Department and the Austin Police Department for COVID-19 disaster response expenditure reimbursement.

Ordinance No. 20230608-031 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

32. Authorize negotiation and execution of an amendment to a legal services agreement with Jackson Walker, LLP, for legal services related to City of Austin vs. 6315 Spicewood, LP., Condemnation Proceeding in County Court at Law No. 2, in the amount of \$323,350 for a total contract amount not to exceed \$678,350.

The motion authorizing negotiation and execution of an amendment to a legal services agreement with Jackson Walker, LLP was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

33. Authorize negotiation and execution of an amendment to a legal services agreement with Jackson Walker LLP for legal services related to City of Austin vs. SFC Software Factory, LLC, a Texas Limited Liability Company, Condemnation Proceeding filed in the Probate Court No. 1, Travis County in the amount of \$195,000 for a total contract amount not to exceed \$435,000.

The motion authorizing negotiation and execution of an amendment to a legal services agreement with Jackson Walker, LLP was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

34. Approve a resolution authorizing the acceptance of grant funding from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department Crime Lab Enhancement Project.
This item was postponed to July 20, 2023, on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.
35. Authorize negotiation and execution of agreements with Family Endeavors and Foundation Communities to provide homelessness prevention services for a 12-month term beginning August 1, 2023, for a total agreement amount not to exceed \$2,400,000 divided among the agencies.
The motion authorizing negotiation and execution of agreements with Family Endeavors and Foundation Communities was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.
36. Authorize negotiation and execution of Amendment No. 1 to the agreement with Austin Travis County Mental Health & Mental Retardation Center d/b/a Integral Care, to provide behavioral health services to individuals experiencing homelessness at the Northbridge shelter, adding funding in an amount not to exceed \$216,972 for the 12-month period ending December 31, 2023, and adding one six-month extension option in an amount not to exceed \$143,986, for a revised total agreement amount not to exceed \$431,958.
The motion authorizing negotiation and execution of Amendment No. 1 to the agreement with Austin Travis County Mental Health & Mental Retardation Center doing business as Integral Care was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.
37. Authorize negotiation and execution of Amendment No. 1 to an agreement with Urban Alchemy to extend the Austin Resource Center for the Homeless (ARCH) program through December 31, 2023, to add funds to the ARCH program in an amount not to exceed \$600,000 and to add a new ARCH temporary expansion program to operate an additional shelter for a twelve-month term beginning July 1, 2023 in an amount not to exceed \$4,563,836, for a revised total agreement amount not to exceed \$9,307,186.
The motion authorizing negotiation and execution of Amendment No. 1 to the agreement with Urban Alchemy was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.
38. Approve a resolution authorizing a redevelopment exception in the Barton Springs Zone under City Code Section 25-8-26 for the 17.6-acre tract located at 9225 FM 2244 for the redevelopment of an existing commercial use. (This action concerns land located within the Barton Springs Zone.)
Resolution No. 20230608-038 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

ITEMS FROM COUNCIL

39. 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.

Withdrawn and replaced by Item 81.

Item 40 was pulled for discussion.

41. Approve a resolution initiating amendments to City Code Title 25 (Land Development Code) related to a density bonus program for residential developments that include income-restricted housing units. Council Sponsors: Council Member Vanessa Fuentes, Council Member Ryan Alter, Council Member Zohaib "Zo" Qadri, Council Member Natasha Harper-Madison, Council Member José "Chito" Vela.

Resolution No. 20230608-041 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 9-1 vote. Council Member Kelly voted nay. Council Member Pool was absent.

42. Approve a resolution initiating amendments to City Code Title 25 (Land Development Code) to provide minimum fire safety standards for facilities that house or hold animals on a 24-hour basis. Council Sponsors: Council Member José "Chito" Vela, Mayor Kirk Watson, Mayor Pro Tem Paige Ellis, Council Member Alison Alter, Council Member Leslie Pool, Council Member Mackenzie Kelly.

Resolution No. 20230608-042 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

43. Approve a resolution urging the United States Federal Government to support a Fossil Fuel Non-Proliferation Treaty and to develop and enact a federal Climate Emergency Plan and Declaration. Council Sponsors: Council Member Vanessa Fuentes, Council Member José "Chito" Vela, Council Member José Velásquez, Council Member Zohaib "Zo" Qadri, Council Member Leslie Pool, Council Member Ryan Alter, Council Member Alison Alter.

Resolution No. 20230608-043 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 9-1 vote. Council Member Kelly voted nay. Council Member Pool was absent.

44. Approve a resolution directing the City Manager to support the Downtown Austin Community Court (DACC)'s role as an integral part of Austin's homelessness response system by: initiating City Code amendments to expand DACC's geographical service area for certain Class C misdemeanors utilizing stakeholder feedback and consultation with key court staff; and identifying potential ongoing funding sources for Fiscal Year 2023-24 and future budget cycles in order to increase staff, resident connection to services, and improve service resources. Council Sponsors: Council Member Natasha

Harper-Madison, Council Member José "Chito" Vela, Council Member José Velásquez, Council Member Vanessa Fuentes, Council Member Mackenzie Kelly, Council Member Zohaib "Zo" Qadri.

Resolution No. 20230608-044 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

Item 45 was pulled for discussion.

Action was taken on Item 46 but was later reconsidered.

ITEMS TO SET PUBLIC HEARINGS

47. Set a public hearing to consider an ordinance amending City Code Title 25 related to uses and regulations for live music venues, creative spaces, and live/work units. (Suggested date: Thursday, July 20, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas 78701).

The public hearing was set for July 20, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

48. Set a public hearing to consider an ordinance amending the Imagine Austin Comprehensive Plan to update the Austin Strategic Mobility Plan and to adopt the Urban Trails Plan; Sidewalks, Crossings, and Shared Streets Plan; and Bicycle Plan. (Suggested date: July 20, 2023, Austin City Hall, Council Chambers, 301 West Second Street, Austin, Texas).

The public hearing was set for July 20, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

49. Set a public hearing regarding the update of the Water and Wastewater Impact Fee Land Use Assumptions and Capital Improvement Plan, including proposed amendments to impact fees. (Suggested date and time: August 3, 2023, Austin City Hall, Council Chambers, 301 W. Second Street, Austin, Texas).

The public hearing was set for August 3, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

50. Set a public hearing to consider an ordinance amending City Code Chapter 25-5 to establish when a site plan will not be required for development of four or fewer residential units on a site. (Suggested date: Thursday, July 20, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas 78701.)

The public hearing was set for July 20, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

51. Set a public hearing to consider an ordinance amending Title 25 to increase the maximum height and to create design standards for certain properties located within the East Sixth/Pecan Street (PS) Combining District. (Suggested date: Thursday, July 20, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas 78701.)
The public hearing was set for July 20, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

AGENDA ADDENDUM

73. Approve an ordinance setting the assessment rate and approving a proposed 2024 assessment roll for the Austin Downtown Public Improvement District. Related to item #86.
Ordinance No. 20230608-073 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

Items 74 and 75 were pulled for discussion.

76. Approve a resolution which approves the issuance by the Austin Housing Public Facility Corporation of multi-family housing revenue bonds in an aggregate principal amount up to \$45,000,000 to ACG RBJ II, LLC, or an affiliated entity, and approves the execution by the Austin Housing Public Facility Corporation of related documents, in substantially the form attached to the resolution, to provide financing for the development of The Rebekah, located at or near 1320 Art Dilly Drive, Austin, Texas 78702. District(s) Affected: District 3.
Resolution No. 20230608-076 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.
77. Approve a resolution confirming the reappointment of Farah Ahmed to the Firefighters', Police Officers' and Emergency Medical Services Personnel's Civil Service Commission.
Resolution No. 20230608-077 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

Item 78 was pulled for discussion.

79. Approve an ordinance amending the Fiscal Year 2022-2023 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept and appropriate opioid settlement funding in the amount of \$1,531,218 and add 1.0 full-time equivalent position for communication and harm reduction strategies to address the escalating public health crisis caused by drug overdoses.

Ordinance No. 20230608-079 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

80. Approve a resolution authorizing the submittal of an application to the United States Department of Transportation Federal Highway Administration for the Development and Deployment of Innovative Asphalt Pavement Technologies grant to improve pavement performance, reduce urban heat island effect, and improve air quality. District(s) Affected: District 2.

Resolution No. 20230608-080 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

81. 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 2-1-24 (Conflict of Interest and Recusal) regarding the signature sheet requirement.

The following appointments and waivers were approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

Nominations

Board/Nominee	Nominated by
<u>Austin Integrated Water Resource Planning Community Task Force</u> Bobby Levinski	Council Member Alison Alter
<u>Board of Adjustment</u> Marcel Gutierrez-Garza	Mayor Watson
<u>Board of Adjustment (Alternate)</u> Suzanne Valentine	Mayor Watson
<u>Comprehensive Plan Joint Committee</u> David Fouts	Zoning and Platting Commission
<u>Economic Prosperity Commission</u> Laura Dixon	Mayor Watson
<u>Environmental Commission</u> Peter Einhorn	Council Member Fuentes
<u>Ethics Review Commission</u> William "Ross" Pumfrey	Mayor Pro Tem Ellis

Historic Landmark Commission

Tara Dudley

Council Member Qadri

MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee

Salman Rashid

Council Member Pool

Zero Waste Advisory Commission

Amanda Masino

Mayor Watson

Waivers

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Tara Dudley on the Historic Landmark Commission.

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 July 10, 2023, for the following members:

Cynthia Van Maanen	2024 Charter Review Commission
Julie Hayes	Parks and Recreation Board

Approve a waiver under Section 2-1-27(E) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for the following persons appointed to a City board if the person completes the training required by Section 2-1-23 on or before July 10, 2023:

Patrick Rose	Airport Advisory Commission
Janel Venzant	Board of Adjustment
Brianna Smith	Community Technology and Telecommunications Commission
Ben Anstead	Design Commission
Vanessa Maldonado	Hispanic/Latino Quality of Life Resource Advisory Commission
Donna Betts	Mayor's Committee for People with Disabilities
Elizabeth "Kristen" Vassallo	Mayor's Committee for People with Disabilities
Leonard Davila	Music Commission
Lane Becker	Parks and Recreation Board
Felicity Maxwell	Planning Commission

Resolution No. 20230608-081 was approved as amended below on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

The amendment was to revise line 25 to read as follows:

"Position 4: DeWi Smith, for a term expiring January 1, 2024"

Ordinance No. 20230608-081 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

82. Approve a resolution initiating amendments to City Code Title 25 (Land Development Code) related to electrical vehicle charging. Council Sponsors: Council Member Alison Alter, Council Member Ryan Alter, Council Member Leslie Pool, Mayor Pro Tem Paige Ellis, Council Member Zohaib "Zo" Qadri.

Resolution No. 20230608-082 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

Items 83 through 85 were pulled for discussion.

ITEMS TO SET PUBLIC HEARINGS CONTINUED

86. Set a public hearing to consider the Downtown Public Improvement District 2024 proposed assessments. (Suggested date: July 20, 2023 at Austin City Hall, 301 W. Second Street, Austin TX). Related to item #73

The public hearing was set for July 20, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

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.

59. Discuss legal issues related to use of City right-of-way by broadband network providers (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).

Withdrawn.

87. Discuss legal issues related to the implementation of Proposition A, a citizens' initiative on the May 2023 ballot (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).

Withdrawn.

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 11:38 a.m. See separate minutes.

55. 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/2023/20230608-ahfc.htm>).

AUSTIN HOUSING PUBLIC FACILITY CORPORATION MEETING

Mayor Watson adjourned the Board of Directors' Meeting of the Austin Housing Finance Corporation and called the Board of Directors' Meeting of the Austin Housing Public Facility Corporation to order at 11:44 a.m. See separate minutes.

56. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Public Facility Corporation. Following adjournment of the AHPFC Board meeting the City Council will reconvene. (The AHPFC agenda is temporarily located at <https://www.austintexas.gov/department/city-council/2023/20230608-ahpfc.htm>).

Mayor Watson reconvened the Council Meeting at 11:49 a.m.

DISCUSSION ITEMS

75. Approve a resolution which approves the issuance by the Austin Housing Public Facility Corporation of multi-family housing revenue bonds in an aggregate principal amount up to \$20,000,000 to Cairn Point at Cameron, LP, or an affiliated entity, and approves the execution by the Austin Housing Public Facility Corporation of related documents, in substantially the form attached to the resolution, to provide financing for the development of Cairn Point at Cameron, located at or near 7205 Cameron Road, Austin, Texas 78752. District(s) Affected: District 4.
Resolution No. 20230608-075 was approved on Council Member Vela's motion, Council Member Harper-Madison's second on a 9-1 vote. Council Member Kelly voted nay. Council Member Pool was absent.

85. Approve a resolution amending Resolution No. 20220915-056 to revise policy for data retention related to automated license plate readers and extend the timeline of the pilot program. Council Sponsors: Council Member Ryan Alter, Council Member José "Chito" Vela, Council Member Vanessa Fuentes, Council Member José Velásquez, Council Member Natasha Harper-Madison.
A motion to approve the resolution was made Council Member Ryan Alter and seconded by Council Member Velásquez.

The following amendment was made by Council Member Kelly and seconded by Council Member Ryan Alter.

The amendment was to revise line 45 to read as follows:

“BE IT FURTHER RESOLVED:

The pilot program will extend to the end of a twelve-month period from the beginning of the program implementation and cease unless further extended by Council.”

The amendment was approved on a 10-0 vote. Council Member Pool was absent.

Resolution No. 20230608-085 was approved as amended on Council Member Ryan Alter’s motion, Council Member Velásquez’s second on a 10-0 vote. Council Member Pool was absent.

74. 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].

The motion authorizing negotiation and execution of a contract with Insight Public Sector, Inc. was approved on Council Member Ryan Alter’s motion, Council Member Kelly’s second on a 9-1 vote. Council Member Qadri voted nay. Council Member Pool was absent.

ITEM REFERRED FROM COUNCIL COMMITTEE

52. Approve the Policy to Determine Funding Goals and Guidelines for the Austin Police Retirement System. Council Sponsors: Audit and Finance Committee.
The motion approving the Policy to Determine Funding Goals and Guidelines for the Austin Police Retirement System was approved on Council Member Alison Alter’s motion, Council Member Ryan Alter’s second on a 10-0 vote. Council Member Pool was absent.

PUBLIC HEARING AND POSSIBLE ACTION

57. Conduct a public hearing to receive public comment on the City’s draft Fiscal Year 2023-2024 Action Plan as required by the U.S. Department of Housing and Urban Development.
The public hearing was conducted and a motion to close the public hearing was approved on a 10-0 vote. Council Member Pool was absent.

PUBLIC COMMUNICATION: GENERAL

Adrian Macias- Deep levels of affordability – **Present.**

Ches Weinfeld - I-35 Expansion. – **Present.**

Matthew McCoy - Opposing I-35 expansion. – **Not present.**

Colin Walker- I-35 – **Not present.**

Clover Chen- Speaking on the i35 Expansion. – **Present.**

Charlotte LeMay- I-35 project. – **Present.**

Cecily Montgomery- I-35 – **Present.**

Reyana Tran - Speak on the i35 Expansion – **Present.**

Irvin Beltran- I35 project. – **Present.**

Eileen McGinnis- The expansion of I-35. – **Present.**

Mayor Watson recessed the meeting at 12:24 p.m. without objection.

LIVE MUSIC

Daniel Fears

Mayor Watson reconvened the Council Meeting at 1:02 p.m.

DISCUSSION ITEMS CONTINUED

45. Approve a resolution initiating amendments to City Code Title 25 (Land Development Code) to change compatibility requirements. Council Sponsors: Council Member José "Chito" Vela, Council Member Natasha Harper-Madison, Council Member Vanessa Fuentes, Council Member José Velásquez, Council Member Ryan Alter, Council Member Zohaib "Zo" Qadri.

A motion to approve the resolution was made by Council Member Vela and seconded by Council Member Velásquez.

The following amendments were made by Council Member Alison Alter and seconded by Council Member Kelly.

Add the following after line 35:

“WHEREAS, the City’s *Strategic Housing Blueprint*, adopted by Council in 2017, is a 10-year plan to help align resources and facilitate community partnerships around a single, strategic vision to create 60,000 affordable housing units for those making less than 80% of the median family income and ensure that there is affordable housing throughout the city, and

WHEREAS, the City's *Strategic Housing Blueprint* helps align resources and facilitate community partnerships around a single, strategic vision to ensure that there is affordable housing throughout the city, and

WHEREAS, the plan identifies funding sources, potential regulations, and other creative approaches the City of Austin should utilize to achieve housing goals--including the creation of 60,000 affordable units over the coming decade for households earning approximately \$60,000 or less per year, and

WHEREAS, unlike other parts of the nation, Texas state law limits municipalities' ability to require affordable housing within developments outside of a voluntary density bonus program, and

WHEREAS, the City's *Strategic Housing Blueprint* states, "density bonus programs are one of the few tools the City has to create income-restricted affordable units without monetary subsidy. Density bonus programs contribute to the geographic dispersion of affordable housing and foster public-private collaborations that yield affordable housing without the use of public subsidies", and

WHEREAS, the City's *Strategic Housing Blueprint* states that successfully reaching the goal to have at least 25 percent of new income-restricted affordable housing in moderate to high opportunity areas will help create more equitable, integrated, and diverse communities throughout Austin, and

WHEREAS, the City's *Strategic Housing Blueprint* lists the implementation of a consistent density bonus program for Imagine Austin Centers and Corridors as a strategy with the highest potential impact for the creation of affordable housing, and

WHEREAS, the City's *Strategic Housing Blueprint* states, "the revised Land Development Code should implement a consistent density bonus program for Imagine Austin Activity Centers and Corridors where larger buildings are deemed acceptable. These centers and corridors allow people to reside, work, shop, access services, and recreate without traveling far distances. Economic modeling is being conducted in conjunction with the CodeNEXT progress to determine where such programs would be financially feasible while also producing affordable housing benefits. Any increase in development capacity will be tied to an affordability requirement. The City should incentivize and provide additional opportunities for housing units with two bedrooms or more, particularly in high opportunity areas. The existing density bonus programs have resulted in income-restricted affordable units in high opportunity areas along transit corridors with no subsidy by the City of Austin", and"

Add the following after line 75:

"8. Require any significant increase in development capacity to be tied to an affordability requirement, as recommended and described in the City's *Strategic Housing Blueprint*"

The amendments failed on a 3-7 vote. Those voting aye were: Mayor Watson, Council Members Alison Alter and Council Member Kelly. Those voting nay were:

Mayor Pro Tem Ellis, Council Members Ryan Alter, Fuentes, Harper-Madison, Qadri, Vela, and Velásquez. Council Member Pool was absent.

The following amendment was made by Council Member Velásquez and seconded by Council Member Vela.

The amendment was to add a new Be It Further Resolved clause to read:

“BE IT FURTHER RESOLVED:

The City Manager is directed to explore the practical and legal feasibility of creating an administrative process that would allow owners of a property subject to Compatibility Standards to request a waiver to Compatibility Standards if agreed to by owners of triggering properties. If the City Manager determines that this kind of process is feasible, the City Manager is directed to prepare any amendments necessary to create the process.”

The amendment was approved on a 9-1 vote. Council Member Kelly voted nay. Council Member Pool was absent.

The following amendments were made by Council Member Ryan Alter and seconded by Council Member Vela.

Replace lines 48-52 with the following:

“1. Change the application of Compatibility Standards so that our rules are in line with our peer cities. The City Manager's recommendation should be informed by the Study.”

Add the following after line 80:

“8. In order to maximize affordability, consider reducing or eliminating compatibility limits further for projects that are participating in a new or existing density bonus program that provides affordable units or other community benefits such as childcare serving lower income families or cultural spaces for music and arts leased at low or no cost.”

The following amendment to Council Member Ryan Alter's amendment was made by Council Member Qadri and seconded by Mayor Pro Tem Ellis.

The amendment was to revise line 80 to read as follows:

“8. In order to maximize affordability, consider eliminating compatibility limits further for projects that are participating in a new or existing density bonus program that provides affordable units or other community benefits such as childcare serving lower income families or cultural spaces for music and arts leased at low or no cost.”

Council Member Qadri's amendment failed on a 5-5 vote. Those voting aye were: Mayor Pro Tem Ellis, Council Members Harper-Madison, Qadri, Vela, and

Velásquez. Those voting nay were: Mayor Watson, Council Members Alison Alter, Ryan Alter, Fuentes, and Kelly. Council Member Pool was absent.

Council Member Ryan Alter's amendments were on a 9-1 vote. Council Member Kelly voted nay. Council Member Pool was absent.

The following amendment was made by Council Member Alison Alter and seconded by Council Member Kelly.

The amendment was to remove part 3c in the "Be It Resolved" clause that begins on Line 41 and amend the end of the "Be It Resolved" clause that begins on Line 41 to add language that reads:

"The amendments initiated in this Resolution should not change existing Compatibility Standards applicable to a development that includes only commercial uses, and the Compatibility Standards in effect on the day this Resolution is adopted should be carried forward."

The amendment failed on a 3-7 vote. Those voting aye were: Mayor Watson, Council Members Alison Alter and Ryan Alter. Those voting nay were: Mayor Pro Tem Ellis, Council Members Fuentes, Harper-Madison, Kelly, Qadri, Vela, and Velásquez. Council Member Pool was absent.

Resolution No. 20230608-045 was approved as amended on Council Member Vela's motion, Council Member Velásquez's second on an 8-2 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Ellis, Council Members Ryan Alter, Fuentes, Harper-Madison, Qadri, Vela, and Velásquez. Those voting nay were: Council Members Alison Alter and Kelly. Council Member Pool was absent.

46. Approve a resolution initiating a code amendment regarding mandatory pet microchipping and directing the City Manager to conduct a review of Animal Services Office policies to facilitate and implement citywide microchipping and animal welfare services. Council Sponsors: Council Member José "Chito" Vela, Council Member Natasha Harper-Madison, Council Member José Velásquez, Mayor Kirk Watson.

Resolution No. 20230608-046 was approved on consent on Council Member Harper-Madison's motion, Council Member Vela's second on a 10-0 vote. Council Member Pool was absent.

A motion to reconsider the item was made by Mayor Watson, seconded by Council Member Vela, and approved on a 10-0 vote. Council Member Pool was absent.

The following amendment was made by Mayor Watson and seconded by Council Member Kelly.

The amendment was revise lines 19 and 20 to read as follows:

"By implementing a comprehensive approach that includes the goal of microchipping all local pets, thereby enhancing successful pet ownership"

The amendment was approved on a 10-0 vote. Council Member Pool was absent.

Resolution No. 20230608-046 was approved as amended on Council Member Vela's motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Pool was absent.

Mayor Watson recessed the meeting at 1:57 p.m. without objection.

Mayor Watson reconvened the Council Meeting at 2:02 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

The following items were acted on by one combined motion.

60. NPA-2022-0021.02 - Burleson & Ben White - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055, the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3507 Burleson Road (Country Club West Watershed) from Single Family, Office and Commercial to Mixed Use land use. Staff Recommendation: To grant Mixed Use land use. Planning Commission Recommendation: To be reviewed June 13, 2023. Owner/Applicant: Stoneridge Capital Partners, LTD. Agent: Dunaway Associates (Vanessa Mendez). City Staff: Kathleen Fox, 512-974-7844. District(s) Affected: District 3.
- This item was postponed to July 20, 2023, at the request of Staff on a 10-0 vote. Council Member Pool was absent.**

61. C14-2020-0143 - 12121 North IH 35 Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12121 North Interstate Highway 35 Service Road Northbound (Walnut Creek Watershed). Applicant's Request: To rezone from community commercial-conditional overlay (GR-CO) combining district zoning to multifamily residence moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Staff and Zoning and Platting Commission Recommendation: To grant multifamily residence moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Owner/Applicant: Dupius Investments, Ltd. (Daniel McCormack) Agent: Coats Rose (Racy Haddad). City Staff: Joi Harden, Planning Department, 512-974-1617. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 1.
- This item was postponed to July 20, 2023, at the request of the Applicant on a 10-0 vote. Council Member Pool was absent.**

62. C14-2022-0049 - 500 VFW Road - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 500 VFW Road (Walnut Creek Watershed). Applicant's Request: To rezone from general office-conditional overlay (GO-CO) combining district zoning to general office-mixed use (GO-MU) combining district zoning. First Reading approved on October 27, 2022. Vote: 11-0. Owner/Applicant: Capital City VFW Post #8787. Agent: Drenner Group, PC (Amanda

Swor). City Staff: Joi Harden, Planning Department, 512-974-1617. District(s) Affected: District 1.

Withdrawn by Owner.

63. C14-2023-0002 - Indian Hills - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6201 Quinn Luke Trail (Decker Creek Watershed). Applicant's Request: To rezone from limited industrial services-conditional overlay (LI-CO) combining district zoning to limited industrial services-conditional overlay (LI-CO) combining district zoning, to change a condition of zoning. Staff and Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: IH Clean Energy Center TX LP. Agent: Metcalfe Wolff Stuart and Williams (Michele Rogerson Lynch). City Staff: Jonathan Tomko, Planning Department, 512-974-1057. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230608-063 for limited industrial services-conditional overlay (LI-CO) combining district zoning, to change a condition of zoning was approved on a 10-0 vote. Council Member Pool was absent.

64. C14-2022-0156 - Webb Tract - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 10711 Decker Lane (Decker Creek Watershed). Applicant's Request: To rezone from interim-rural residence (I-RR) base zoning district to general commercial services-mixed use (CS-MU) combining district zoning. Staff and Zoning and Platting Commission Recommendation: To grant general commercial services-mixed use (CS-MU) combining district zoning, with conditions. Owner/Applicant: Heart of Manor LP. Agent: Kimley-Horn (Ethan Harwell). City Staff: Jonathan Tomko, Planning Department, 512-974-1057. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230608-064 for general commercial services-mixed use (CS-MU) combining district zoning, with conditions was approved on a 10-0 vote. Council Member Pool was absent.

65. C14-2022-0175 - Airport 973 Addition - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 3178 and 3180 Eva Street (Colorado River Watershed). Applicant's Request: To zone from interim-single family residence-standard lot (I-SF-2) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning, with conditions. Owner/Applicant: Sunoco Retail, LLC (Ola Faye Woods). Agent: Metcalfe Wolff Stuart & Williams, LLP (Michele Rogerson Lynch). City Staff: Nancy Estrada, Planning Department, 512-974-7617. District(s) Affected: District 2.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230608-065 for community commercial-conditional

overlay (GR-CO) combining district zoning, with conditions was approved on a 10-0 vote. Council Member Pool was absent.

66. C14-2022-0102 - 506 & 508 West Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 506 and 508 West Avenue (Shoal Creek Watershed). Applicant's Request: To rezone from downtown mixed use (DMU) district zoning to central business district (CBD) zoning. Staff and Planning Commission Recommendation: To grant central business district-conditional overlay (CBD-CO) combining district zoning. Owner/Applicant: 506 West Avenue, LP (Tyler Grooms). Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Nancy Estrada, Planning Department, 512-974-7617. District(s) Affected: District 9.

This item was postponed to July 20, 2023, at the request of the Neighborhood on a 10-0 vote. Council Member Pool was absent.

67. C14-2022-0164 - 504 Oakland Ave. - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 504 Oakland Avenue (Lady Bird Lake Watershed). Applicant's Request: To rezone from limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff and Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Owner/Applicant: Reg ATX 504 Oakland, Ltd. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Jonathan Tomko, Planning Department, 512- 974-1057. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230608-067 for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning was approved on a 10-0 vote. Council Member Pool was absent.

68. NPA-2022-0009.01 - 1007 and 1021 E. 7th Street - Approve second and third readings of an ordinance amending Ordinance No. 011213-41, the Central East Austin Neighborhood Plan and Ordinance No. 20081211-083 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 E. 7th Street (Waller Creek Watershed). First Reading approved May 18, 2023. Vote: 11-0. 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.

Ordinance No. 20230608-068 to allow a base maximum building height of 90 feet on property was approved on a 10-0 vote. Council Member Pool was absent.

69. C14-2022-0149 - 1007 and 1021 East 7th Street - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1007 and 1021 East 7th Street (Waller Creek 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. First Reading approved May 18, 2023. Vote: 11-0. Owner/Applicant: 1007 East 7th Street (Austin) Owner, L.P. and 1021 East 7th Street (Austin). Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Joi Harden, Planning Department, 512-974-1617. District(s) Affected: District 3.

Ordinance No. 20230608-069 for transit oriented development-neighborhood plan (TOD-NP) combining district zoning, to change a condition of zoning was approved on a 10-0 vote. Council Member Pool was absent.

Items 70 through 72 were pulled for discussion.

90. C14-2022-0133 - 10701 Dessau Rd. - Approve second and third readings of 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. First Reading approved multifamily residence moderate-high density-conditional overlay (MF-4-CO) combining district zoning on June 1, 2023. Vote 8-0, Mayor Watson and Council Members A. Alter and Harper-Madison off the dais. Owner: Golden Ember Trust. Applicant: DuBois, Bryant & Campbell, L.L.P. (David Hartman). City Staff: Jonathan Tomko, 512- 974-1057, Planning Department. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230608-090 for multifamily residence moderate-high density-conditional overlay (MF-4-CO) combining district zoning was approved on a 10-0 vote. Council Member Pool was absent.

91. C14-2022-0205 - Denny's Condos - Approve second and third readings of 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 commercial highway services-conditional overlay-neighborhood plan (CH-CO-NP) combining district zoning to commercial highway services-planned development area-neighborhood plan (CH-PDA-NP) combining district zoning, as amended. First Reading approved commercial highway services-planned development area-neighborhood plan (CH-PDA-NP) combining district zoning on June 1, 2023. Vote 8-0, Mayor Watson and Council Member A. Alter off the dais. Council Member R. Alter recused. Owner/Applicant: McGrane Living Trust. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Joi Harden, 512 -974-1617, Planning Department. District(s) Affected: District 1.

Ordinance No. 20230608-091 for commercial highway services-planned development area-neighborhood plan (CH-PDA-NP) combining district zoning, as amended was approved with the following Staff amendment on a 9-0 vote. Council Member Ryan Alter recused. Council Member Pool was absent.

The amendment was to revise Part 4 (A) (b) to read as follows:

“The maximum height of the building or structure is 230 feet, excepting the 50 feet parallel to the measured from East 16th Street frontage where the maximum height of a building or structure is 40 feet.”

Items 92 and 93 were pulled for discussion.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

89. Conduct a public hearing and 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.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230608-089 was approved on Council Member Vela's motion, Mayor Pro Tem Ellis' second on a 10-0 vote. Council Member Pool was absent.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS CONTINUED

The following items were acted on in one combined motion.

70. NPA-2022-0014.05 - Bergstrom Trail Mixed Use - Conduct a public hearing and approve an ordinance amending Ordinance No. 20021010-11, the Southeast Combined Neighborhood Plan (Southeast) 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 6300 and 6410 Burleson Road (Onion Creek Watershed) from Industry and Transportation to Mixed Use land use. Staff Recommendation: To deny Mixed Use land use. Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: ZIFS Burleson6300, LLC. Agent: Husch Blackwell (Micah King). City Staff: Jesse Gutierrez, Planning Department, 512-974-1606. District(s) Affected: District 2.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230608-070 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Fuentes' motion, Mayor Pro Tem Ellis' second on a 9-0 vote. Council Member Harper-Madison was off the dais. Council Member Pool was absent.

71. C14-2022-0148 - Bergstrom Trail - Eastern Tract - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6410 Burleson Road (Onion Creek Watershed). Applicant's Request: To rezone from limited industrial service-neighborhood plan (LI-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To deny general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Planning Commission Recommendation: To grant general

commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner/Applicant: ZIFS Burleson6300, LLC (Zain Fidai). Agent: Husch Blackwell LLP (Micah King). City Staff: Nancy Estrada, Planning Department, 512-974-7617. District(s) Affected: District 2.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230608-071 for general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning was approved on Council Member Fuentes' motion, Mayor Pro Tem Ellis' second on a 9-0 vote. Council Member Harper-Madison was off the dais. Council Member Pool was absent.

72. C14-2022-0146 - Bergstrom Trail - Western Tract - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6300 Burleson Road (Onion Creek Watershed). Applicant's Request: To rezone from limited industrial service-neighborhood plan (LI-NP) to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To deny general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner/Applicant: ZIFS Burleson6300, LLC (Zain Fidai). Agent: Husch Blackwell LLP (Micah King). City Staff: Nancy Estrada, Planning Department, 512-974-7617. District(s) Affected: District 2.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230608-072 for general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning was approved on Council Member Fuentes' motion, Mayor Pro Tem Ellis' second on a 9-0 vote. Council Member Harper-Madison was off the dais. Council Member Pool was absent.

The following items were acted on in one combined motion.

92. NPA-2022-0016.02 - Borden Tract - Approve second and third readings of an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace 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 21, 21 1/2, 41, 71 Strandtman Cove and 11, 21, 41, 41 1/2 Julieanna Cove (Colorado River Watershed) from Industry to Mixed Use land use. First reading approved Mixed Use land use on June 1, 2023. Vote: 7-0, Council Member Velasquez recused. Mayor Watson and Council Members Harper-Madison and A. Alter off the dais. Owner/Applicant: New Dairy Texas, LLC. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Maureen Meredith, Planning Department, (512) 974-2695. District(s) Affected: District 3.

A motion to approve the ordinance on second reading only was made by Mayor Watson and seconded by Council Member Ryan Alter.

The following amendment was made by Council Member Alison Alter and seconded by Council Member Fuentes.

The amendment was to include the following direction to the City Manager:

“Evaluate the need for any additional setbacks (vegetative or otherwise) or increased minimum setbacks considering this redevelopment’s proximity to the Colorado River Park Wildlife Sanctuary and the changes sought to the base zoning entitlement in this PDA, returning with any proposed amendments for City Council consideration on Third Reading.”

The amendment failed on a 4-5 vote. Those voting aye were: Council Members Alison Alter, Ryan Alter, Fuentes, and Vela. Those voting nay were: Mayor Watson, Mayor Pro Tem Ellis, Council Members Harper-Madison, Kelly, and Qadri. Council Member Velásquez recused himself. Council Member Pool was absent.

The motion to approve the ordinance on second reading only was approved on Mayor Watson’s motion, Council Member Ryan Alter’s second on a 7-2 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Ellis, Council Members Ryan Alter, Harper-Madison, Kelly, Qadri, and Vela. Those voting nay were: Council Members Alison Alter and Fuentes. Council Member Velásquez recused himself. Council Member Pool was absent.

93. C14-2022-0121 - Borden Tract - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 21, 21 1/2, 41, 71 Strandtman Cove and 11, 21, 41, 41 1/2 Julieanna Cove (Colorado River Watershed). Applicant Request: To rezone from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. First Reading approved limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, with conditions on June 1, 2023. Vote: 7-0, Council Member Velasquez recused. Mayor Watson and Council Members Harper-Madison and A. Alter off the dais. Owner: New Dairy Texas, LLC. Applicant: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Joi Harden, Planning Department, 512-974-1617. District(s) Affected: District 3.
- A motion to approve the ordinance on second reading only was made by Mayor Watson and seconded by Council Member Ryan Alter.**

The following amendment was made by Council Member Alison Alter and seconded by Council Member Fuentes.

The amendment was to include the following direction to the City Manager:

“Evaluate the need for any additional setbacks (vegetative or otherwise) or increased minimum setbacks considering this redevelopment’s proximity to the

Colorado River Park Wildlife Sanctuary and the changes sought to the base zoning entitlement in this PDA, returning with any proposed amendments for City Council consideration on Third Reading.”

The amendment failed on a 4-5 vote. Those voting aye were: Council Members Alison Alter, Ryan Alter, Fuentes, and Vela. Those voting nay were: Mayor Watson, Mayor Pro Tem Ellis, Council Members Harper-Madison, Kelly, and Qadri. Council Member Velásquez recused himself. Council Member Pool was absent.

The motion to approve the ordinance on second reading only was approved on Mayor Watson’s motion, Council Member Ryan Alter’s second on a 7-2 vote. Those voting aye were: Mayor Watson, Mayor Pro Tem Ellis, Council Members Ryan Alter, Harper-Madison, Kelly, Qadri, and Vela. Those voting nay were: Council Members Alison Alter and Fuentes. Council Member Velásquez recused himself. Council Member Pool was absent.

DISCUSSION ITEMS CONTINUED

40. Approve a resolution initiating amendments to City Code Title 25 (Land Development Code) to create a new density bonus program for residential developments that include income-restricted housing units. Council Sponsors: Council Member Ryan Alter, Council Member Vanessa Fuentes, Council Member Zohaib "Zo" Qadri, Council Member José "Chito" Vela, Council Member Natasha Harper-Madison.

Resolution No. 20230608-040 was approved on Council Member Ryan Alter’s motion, Council Member Fuentes’ second on an 8-1 vote. Council Member Kelly voted nay. Council Member Alison Alter abstained. Council Member Pool was absent.

84. Approve a resolution related to authorizing the Housing Authority of Travis County (HATC) to exercise its powers within the City. Council Sponsors: Council Member Ryan Alter, Council Member Natasha Harper-Madison, Council Member José Velásquez, Council Member Zohaib "Zo" Qadri.

A motion to approve the resolution was made by Council Member Ryan Alter and seconded by Council Member Velásquez.

The following amendment was made by Council Member Velásquez and seconded by Council Member Qadri.

The amendment was to add the following “Whereas” clause to read:

“WHEREAS, A second proposed project will be located at 1418 Frontier Valley Road and will be developed according to the Austin Affordability Unlocked Program, including approximately 101 units, including 6 units at 30% AMI, 21 units at 50% AMI, 1 unit at 60% AMI, 7 units at 70% AMI, 16 units at 80% AMI and 50 units at market rate pricing (“Frontier Valley Development”); and”

The amendment was also to revise the Be It Resolved clause to read as follows:

“BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

Provided that the conditions described in this Resolution are met, the Council declares a need for HATC to exercise its powers at the Real Street Development and Frontier Valley Development which are located within the city limits of Austin, Texas.

BE IT FURTHER RESOLVED:

The Council authorizes the City Manager or their designee to negotiate a cooperation agreement that documents the City’s willingness to cooperate with HATC in its endeavor to provide housing for lower income persons at the Real Street Development. The Council authorizes the City Manager to execute the cooperation agreement if HACA approves a resolution and executes cooperation agreement for the same development.

BE IT FURTHER RESOLVED:

The Council authorizes the City Manager or their designee to negotiate a cooperation agreement that documents the City’s willingness to cooperate with HATC in its endeavor to provide housing for lower income persons at the Frontier Valley Development. The Council authorizes the City Manager to execute the cooperation agreement if the following conditions are met on or before June 23, 2023:

- 1. HACA approves a resolution and executes cooperation agreement for the Frontier Valley Development; and**
- 2. the parties participating in the Frontier Valley Development sign and record a land use restriction agreement or a similar restrictive instrument against the land used for the Frontier Valley Development; and**
- 3. the land use restriction agreement or similar restrictive instrument contains the following terms:**
 - a. effective for a minimum of 75 years; and**
 - b. the Frontier Valley Development will income-restrict at least 50% of the total number of units as set out**
 - c. the bedroom mix of the percentage of income-restricted units will be the same as the bedroom mix for the non-income-restricted units at the Frontier Valley Development; and**
 - d. the Frontier Valley Development will not:**

- i. refuse to rent to a household based on source of income, namely Housing Choice Vouchers; or
 - ii. use a financial or minimum income standard that requires a household participating in the Housing Choice Voucher program or other similar program to have a monthly income of more than 250% of the household's share of the total monthly rent payable for the unit; and
- e. the Frontier Valley Development will affirmatively market available unit directly to households participating in the Housing Choice Voucher program or other similar program; and
- f. each lease agreement for a residential unit in the Frontier Valley Development will provide that:
 - i. the landlord may not request or require a tenant to waive the protections described in this Clause;
 - ii. the landlord may not retaliate against the tenant or the tenant's guests by taking an action because the tenant established, attempted to establish, or participated in a tenant organization; and
 - iii. the landlord may refuse to renew the lease only when the tenant:
 - 1. is in material noncompliance with the lease, including nonpayment of rent;
 - 2. committed one or more substantial violations of the lease;
 - 3. failed to provide required information on the income, composition, or eligibility of the tenant's household; or
 - 4. committed repeated minor violations of the lease that:
 - disrupt the livability of the property;
 - adversely affect the health and safety of any person or the right to quiet enjoyment of the leased premises and related development facilities;
 - interfere with the management of the development; or
 - have an adverse financial effect on the development, including the failure of the tenant to pay rent in a timely manner; and
- g. to not renew the lease, the landlord must serve a written notice of proposed nonrenewal on the tenant not later than the 30th day before the effective date of nonrenewal.”

The amendment was approved on a 9-0 vote. Council Member Alison Alter abstained. Council Member Pool was absent.

Resolution No. 20230608-084 was approved as amended on Council Member Ryan Alter's motion, Council Member Velásquez's second on a 7-1 vote. Mayor Watson voted nay. Council Members Alison Alter and Kelly abstained. Council Member Pool was absent.

78. Approve a resolution initiating amendments to City Code Title 25 (Land Development Code) related to deadlines and submittal dates for zoning and rezoning applications.
Resolution No. 20230608-078 was approved on Council Member Qadri's motion, Council Member Vela's second on a 9-1 vote. Council Member Kelly voted nay. Council Member Pool was absent.

83. Approve a resolution directing the City Manager to identify shortages in shelter bed capacity and navigation services by population served and geographical location, identify cost scenarios to increase shelter capacity and navigation services, utilize the Homeless Strategy Division's findings and recommendations from its assessment of the general homeless shelter system when identifying shortages and cost scenarios, and report back to Council. Council Sponsors: Council Member Zohaib "Zo" Qadri, Council Member José Velásquez, Council Member José "Chito" Vela, Council Member Vanessa Fuentes, Council Member Ryan Alter.
A motion to approve Version 2 of the Resolution was made by Council Member Qadri and seconded by Mayor Pro Tem Ellis.

Resolution No. 20230608-083 was approved as amended on Council Member Qadri's motion, Mayor Pro Tem Ellis' second on a 9-0 vote. Council Member Harper-Madison was off the dais. Council Member Pool was absent.

ITEMS REFERRED FROM COUNCIL COMMITTEES CONTINUED

53. Consider a recommendation related to prioritizing initiated amendments to the City's Land Development Code. Council Sponsors: Housing and Planning Committee.
The motion approving the recommendation related to prioritizing initiated amendments to the City's Land Development Code was approved on Council Member Harper-Madison's motion, Council Member Ryan Alter's second on a 9-0 vote. Council Member Alison Alter abstained. Council Member Pool was absent.

Direction was as follows:

"City Council direct the City Manager to proceed with the prioritization as outlined in the June 5 memo, titled "Update on the Timing of Land Development Code Amendments", and continue to work with the Housing and Planning Committee on prioritizing and organizing current and future potential Land Development Code amendments for the greatest impact on housing."

54. Approve a resolution relating to the Colony Park Sustainable Community Initiative and initiating changes to the existing Colony Park Planned Unit Development that is

generally located in the vicinity north of Loyola Lane between Johnny Morris Road and Decker Lane. Council Sponsors: Housing and Planning Committee.

Resolution No. 20230608-054 was approved on Council Member Harper-Madison's motion, Alison Alter's second on a 10-0 vote. Council Member Pool was absent.

PUBLIC HEARINGS AND POSSIBLE ACTIONS CONTINUED

58. Conduct a public hearing and consider an ordinance repealing City Code Section 9-4-41 relating to barbed wire fences, amending City Code Chapter 25-2-899 (Fences as Accessory Uses) relating to fence design, and creating an offense.

The public hearing was conducted and a motion to close the public hearing and approve Version 2 of the staff recommendation with the following amendment was made by Mayor Pro Tem Ellis and seconded by Council Member Alison Alter.

The amendment was to revise lines 46 and 47 to read as follows:

“(b) follows historic design standards and complies with Paragraph (3); or

(c) is more than six feet in height and located on a property with a non-residential use.”

An amendment was made by Council Member Kelly and failed for lack of a second.

A substitute motion to postpone the item to July 20, 2023, was made by Council Member Kelly, seconded by Council Member Vela, and was approved on a 9-1 vote. Mayor Pro Tem Ellis voted nay. Council Member Pool was absent.

88. Conduct a public hearing and consider an ordinance amending Ordinance No. 20221201-056 (Corridor Overlay District) to incorporate the full extent of the roadways described in Resolution No. 20220609-066.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20230608-088 was approved on Mayor Watson's motion, Mayor Pro Tem Ellis' second on a 10-0 vote. Council Member Pool was absent.

Mayor Watson adjourned the Council Meeting at 5:00 p.m. without objection.

The minutes were approved on this the 20th day of July 2023 on Council Member Ryan Alter's motion, Council Member Qadri's second without objection.