



Thursday, September 21, 2023

The City Council will convene at 10:00 AM on Thursday, September 21, 2023 at Austin City Hall, 301 W. 2nd Street, Austin, TX and some members may be participating via videoconference



Mayor Kirk Watson
Mayor Pro Tem Paige Ellis, District 8
Council Member Natasha Harper-Madison, District 1
Council Member Vanessa Fuentes, District 2
Council Member José Velásquez, District 3
Council Member José "Chito" Vela, District 4
Council Member Ryan Alter, District 5
Council Member Mackenzie Kelly, District 6
Council Member Leslie Pool, District 7
Council Member Zohaib "Zo" Qadri, District 9
Council Member Alison Alter, District 10

Public comment will be allowed in-person or remotely by telephone. Speakers may only register to speak on an item once either in-person or remotely. For full instructions on participation in person or by telephone, please visit the Council Meeting Information Center:
http://austintexas.gov/department/city-council/council/council_meeting_info_center.htm

The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9:00 AM – Proclamations

Proclamation – Suicide Prevention Month – To be presented by Council Member Mackenzie Kelly

Proclamation – Hispanic Heritage Month – To be presented by Council Members Vanessa Fuentes, José Velásquez, and José “Chito” Vela and to be accepted by Paul Saldaña on behalf of HALBA and the Austin Latino Coalition

Proclamation – Dyslexia Awareness Month – To be presented by Council Member Alison Alter

10:00 AM – City Council Convenes

Consent Agenda

Approval of Minutes

Austin Energy

1. Authorize the issuance of rebates for multifamily and commercial customer energy efficiency measures by Austin Energy during Fiscal Year 2023-2024 in the aggregate amounts of \$2,900,000 for multifamily programs and \$3,600,000 for commercial programs, for a total combined budget amount of \$6,500,000.
2. Approve issuance of a five-year performance-based incentive to Applied Materials, Inc. for the installation of solar electric systems on their facility located at 9700 E US 290 Hwy, Austin, Texas 78724, in an amount not to exceed \$2,310,800.
3. Approve an ordinance amending the Fiscal Year 2022-2023 Austin Energy Fund Operating Budget (Ordinance No. 20220817-004) to increase appropriations in the amount of \$20,000,000 for costs related to Winter Storm Mara.

Austin Resource Recovery

4. Approve an ordinance amending City Code Chapter 15-6 relating to recycling and diversion of organic materials and approving related changes to Austin Resource Recovery Administrative Rules Chapters 8.0 and 11.0.

Austin Water

5. Authorize negotiation and execution of a cost participation agreement with Urban Lofts XXIII, Ltd. for the City to reimburse the developer for an amount not to exceed \$408,480 for costs associated with the design and construction of an oversized wastewater main and appurtenances related to Service Extension Request No. 5332R that will provide wastewater service to a proposed townhome development located at 1512 Wheless Lane.
6. Authorize negotiation and execution of an interlocal agreement with the University of Texas at Austin for mutual support related to land management, prescribed fires, and wildfire and incident response and prevention.
7. Authorize negotiation and execution of an amended and restated interlocal agreement with Travis County for implementation of the Balcones Canyonlands Conservation Plan - Shared Vision to update the parties' responsibilities and to reflect current industry standards.
8. Approve a resolution authorizing submittal of an application to the U.S. Fish and Wildlife Service to extend the Balcones Canyonlands Conservation Plan regional section 10(a) permit for a duration of 15 years, resulting in a term ending May 2, 2041, for the incidental take of federally listed endangered species under section 10(a)(1)(B) of the Endangered Species Act.
9. Authorize negotiation and execution of an amendment to the interlocal agreement with Travis County for joint funding and management of the Balcones Canyonlands Conservation Plan Coordinating Committee Secretary to rename the position of Coordinating Committee Secretary and to update the agreement to reflect the parties' current organizational structures.

Capital Delivery Services

10. Approve amendments to the Project Connect Community Advisory Committee's bylaws related to membership composition, terms of membership, appointment process, staff liaison roles, and meetings, and authorize negotiation and execution of related amendments to the Joint Powers Agreement between the City, the Austin Transit Partnership, and CapMetro.

Communications and Technology Management

11. Authorize negotiation and execution of agreements with several federal, state, and local government agencies allowing each to be associate participants in the Greater Austin-Travis County Regional Radio System, with automatic 12-month renewals, allowing two-way radio and dispatch console voice and data radio communication between the regional system and agency vehicles and personnel.
12. Authorize negotiation and execution of agreements with several federal, state, and local agencies authorizing the City to perform communication equipment installations, maintenance and repair services, and consultations with the agencies on a reimbursement basis.
13. Authorize negotiation and execution of agreements with several federal, state, and local agencies to permit communications equipment to connect to the Austin-Travis County Regional Radio System Master Site to facilitate interoperable and seamless radio communications with Austin-Travis County Regional Radio System users.

14. Authorize negotiation and execution of an amendment to the interlocal agreement with Travis County for installation and maintenance of wireless communication components and systems to update the hourly labor rate.
15. Authorize negotiation and execution of an interlocal agreement with Uvalde County to support the County's access to, and use of, the City-managed Greater Austin-Travis County Regional Radio System Master Site core computer server and related radio and network equipment, software, and programming benefitting public safety agencies in the greater Uvalde County area.
16. Authorize negotiation and execution of an amendment to the interlocal agreement with the Capital Area Emergency Communications District (CAECD) for various CAECD radio system and emergency communications project elements to extend the term.
17. Authorize negotiation and execution of an interlocal agreement with the Capital Area Council of Governments authorizing the City to maintain and update the Capital Area Emergency Communications District's 9-1-1 Geographic Information System database for Fiscal Year 2023-2024.

Convention Center

18. Approve a resolution adopting the Austin Convention and Visitors Bureau d/b/a Visit Austin 2023-2024 Marketing Plan and Proposed Budget of \$28,016,012; setting the contract payment as required by Chapter 351 of the Texas Tax Code; and authorizing the City Manager to file approved documents with the City Clerk's Office as required by the Texas Tax Code.

Emergency Medical Services

19. Approve second reading of an ordinance renewing a non-emergency medical transfer franchise for American Medical Response of Texas, Inc. under City Code Chapter 10-2 (The public hearing for this was held and closed on August 31, 2023).
20. Approve second reading of an ordinance renewing a non-emergency medical transfer franchise for Lone Star Ambulance 1, LLC, d/b/a Allegiance Mobile Health, Inc. under City Code Chapter 10-2 (The public hearing for this was held and closed on August 31, 2023).

Financial Services

21. Authorize execution of loan agreements and related documents necessary for the City to loan Austin Convention Enterprises, Inc. an amount not to exceed \$38,750,000 related to the closure of the Austin Convention Center during expansion.

Financial Services- Contracts

22. Authorize negotiation and execution of two contracts for bunker gear personal protective ensembles with Samuel Craig Richardson d/b/a Richardson Apparatus LLC and Dooley Tackaberry, Inc., each for a term of two years for total contract amounts not to exceed \$240,000, 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].

23. Authorize execution of a contract for high security storage cages for evidence including installation with Southwest Solutions Group Inc. in an amount not to exceed of \$86,336.

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

24. Authorize negotiation and execution of a contract for an event booking software system with UB Holdings, LLC d/b/a Ungerboeck Systems International, LLC and Momentus Technologies, for a term of five years in an amount not to exceed \$1,400,000.

[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].

25. Authorize negotiation and execution of a contract for a walk-in freezer and installation services with Pasco Brokerage Inc. d/b/a Pasco Brokerage in an amount not to exceed \$120,240.

[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].

26. Authorize execution of two contracts for original equipment manufacturer parts and repair services for City-owned vehicles that have Daimler Trucks of North America components with Lonestar Freightliner Group, LLC d/b/a Lonestar Truck Group Abilene San Angelo Waco Temple Bryan and Doggett Freightliner of South Texas, LLC d/b/a Freightliner of Austin, each for a term of five years for total contract amounts not to exceed \$1,883,500, divided between 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 goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

27. Authorize negotiation and execution of a contract for overpass, under bridge, and transportation right of way clean up with Relief Enterprise of Texas, Inc., for up to three years for a total contract amount not to exceed \$1,725,000.

[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].

28. Authorize execution of a contract for traffic paint and thermoplastic marking materials with Ennis-Flint Inc., for five years for a total amount not to exceed \$3,250,000.

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

- 29.** Authorize negotiation and execution of a contract to provide City property, boiler, and machinery insurance coverage with Alliant Insurance Services, Inc., for up to five years for a total contract amount not to exceed \$70,971,967.

[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].

- 30.** Authorize an amendment to a contract for continued tower climbing, repair, inspection, and tower erecting services with Trico Tower Service Inc., to increase the amount by \$180,000 for a revised total contract amount not to exceed \$299,220.

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

- 31.** Authorize an amendment to a contract for continued rental of vehicles and heavy-duty, commercial, industrial, and construction equipment with HERC Rentals Inc., to increase the amount by \$3,970,000 and to extend the term by two years, for a revised total contract amount not to exceed \$6,792,000.

[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].

- 32.** Authorize execution of a contract for the 2020 Bond Traffic and Pedestrian Signals - Installation and Maintenance project with EAR Telecommunications, LLC, for up to three and a half years for a total contract amount not to exceed \$5,000,000.

[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 achievement of Good Faith Efforts with 3.84% MBE and 1.93% WBE participation].

- 33.** Authorize an amendment to a contract for a technical baggage handling system advisor for the Austin-Bergstrom International Airport Terminal Centralized Baggage Handling System Design Criteria Manual Reissue with AECOM Technical Services Inc., to increase the amount by \$2,432,259 for a revised total contract amount not to exceed \$5,966,845.

[Note: This amendment will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) and 49 CFR Part 26

(Disadvantaged Business Enterprise (DBE) Program). Current participation to date is 12.66% DBE].

34. Approve a resolution finding the use of the design-build method of contracting, as authorized by Subchapter G, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the following three Airport Expansion Development Program projects: AUS Central Utility Plant Relocation, West Garage - Lot B, Concourse B - Phase 1, and Tunnel System.

(Note: MBE/WBE goals will be established prior to issuance of this solicitation).

35. Authorize negotiation and execution of a contract for engineering services for Austin-Bergstrom International Airport with CDM Smith, Inc., for a total contract amount not to exceed \$5,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.32% MBE and 5.00% WBE participation].

District(s): District 2

36. Authorize execution of a contract for masonry, gravel, and concrete supplies with Forwawteh I. Kalloh d/b/a Greenville Enterprise LLC, for up to five years for a total contract amount not to exceed \$735,000.

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

37. Authorize an amendment to a contract for preconstruction, schematic design, and construction services for the Canyon Creek Fire Station with JE Dunn Construction Inc., to increase the amount by \$20,000,000 for a revised total contract amount not to exceed \$91,550,000.

[Note: This amendment will be awarded in compliance with City Code 2-9A and 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date for the Construction Phase is 7.98% MBE and 6.49% WBE].

District(s): District 10

38. Authorize execution of a contract for the South Austin Regional Wastewater Treatment Plant Elevated Tank Rehab and Improvements - Package One project, with Prota Inc., in the amount of \$2,136,347 plus a \$213,635 contingency, for a total contract amount not to exceed \$2,349,982.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 69.99% MBE and 1.50% WBE participation].

District(s): District 2

39. Authorize execution of a contract for the Spicewood Springs Road Regional Mobility

Improvements project with DeNucci Constructors, LLC, in the amount of \$31,076,814 plus a \$3,107,681 contingency, for a total contract amount not to exceed \$34,184,495.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 8.40% MBE and 1.67% WBE participation].

District(s): District 10

40. Authorize execution of a contract for the Starline Drive and Lawndale Drive Pressure Zone Conversion project with Facilities Rehabilitation, Inc., in the amount of \$1,450,995 plus a \$145,100 contingency, for a total contract amount not to exceed \$1,596,095.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 90.97% MBE and 1.89% WBE participation].

District(s): District 10

41. Authorize execution of a contract for the Walnut Creek Wastewater Treatment Plant Effluent Sample Pump Modifications Rebid project with PGC General Contractors, LLC, in the amount of \$1,767,194, plus a \$176,720 contingency, for a total contract amount not to exceed \$1,943,914.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.32% MBE and 1.82% WBE participation].

District(s): District 1

42. Authorize an amendment to a contract for the Existing Terminal Centralized Baggage Handling System Upgrades Project with the Whiting-Turner Contracting Company, to increase the amount by \$83,808,109 for a total revised contract amount not to exceed \$256,863,723.

[Note: This amendment will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) and 49 CFR Part 26 (Disadvantaged Business Enterprise Program (DBE)). Current participation to date is 5.66% DBE].

43. Authorize an amendment to a contract for continued boating and concession operation services with Rowing Dock Inc., for an estimated revenue increase in the amount of \$250,000 and to extend the term by one year, for a revised total estimated contract revenue amount of \$2,008,213.

[Note: This contract was awarded in compliance with the 1996 MBE/WBE Ordinance. There were no opportunities for subcontracting available; therefore, no goals were established].

44. Authorize negotiation and execution of a contract for a suite of planning services to support development of proposed Land Development Code changes with Nelson\Nygaard Consulting Associates, Inc. in an amount not to exceed \$1,000,000.

[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].

45. Authorize negotiation and execution of a contract for OpenGov Procurement suite software and implementation services with Vertosoft LLC d/b/a Vertosoft, for up to five years for a total contract amount not to exceed \$550,000.

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

46. Ratify a contract for temporary security cameras and monitoring services with Stallion Infrastructure Services, LLC in the amount of \$140,000.

[Note: This contract is exempt from the City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established].

47. Authorize negotiation and execution of a contract for sexual assault advocate case review services with End Violence Against Women International in an amount not to exceed \$100,000.

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

48. Authorize negotiation and execution of a contract for a comprehensive implementation audit for the Sex Crimes Unit with End Violence Against Women International in an amount not to exceed \$237,500.

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

49. Authorize negotiation and execution of a contract for an electronic citation and crash software system including maintenance and support services with Tyler Technologies Inc., for up to three years for a total contract amount not to exceed \$800,000.

[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].

50. Authorize negotiation and execution of a Construction Manager at Risk contract for pre-construction and construction services for the Walnut Creek Wastewater Treatment Plant Expansion with McCarthy Building Companies, Inc., in an amount not to exceed \$760,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with

11.86% MBE and 5.63% WBE participation for pre-construction phase services].

Housing

51. Authorize a fee in-lieu of on-site affordable housing for a proposed commercial development subject to Plaza Saltillo Transit Oriented Development Regulating Plan located at or near 1612 East 7th Street, Austin, Texas 78702.

District(s): District 3

Law

52. Authorize negotiation and execution of an amendment to the legal services agreement with Blair Leake and Wright and Greenhill, PC for individual officer representation in Ambler et al v. Williamson County et al, Cause No. 1:20-cv -01068 in the United States District Court for the Western District of Texas in an amount of \$256,000, for a total contract amount not to exceed \$401,500.

Parks and Recreation

53. Approve the Recommended Land Management Strategies and Climate Vulnerability Analysis for Austin Parks and Recreation Department natural areas.
54. Approve an ordinance amending the Fiscal Year 2023-2024 Special Revenue Budget (Ordinance No. 20230816-008) of the Parks and Recreation Department to accept and appropriate \$347,625 in grant funds from the Capital Area Metropolitan Planning Organization for the Enhanced Mobility of Seniors and Individuals with Disabilities Project.

Planning

55. Approve an ordinance relating to a joint public hearing between the City Council and the Planning Commission for certain changes to City Code Chapter 25-2 (Zoning), establishing the notice requirements for the joint public hearing, and waiving City Code Sections 25-1-501 (Initiation of Amendment) and 25-1-502 (Amendment and Review).

Police

56. 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 Project Safe Neighborhoods Program.
57. 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 First Responder Mental Health Program.
58. 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 Violence Against Women Investigative Project.

59. Approve a resolution approving the appointment of members of the police reserve force.

Public Health

60. Authorize negotiation and execution of Amendment No. 1 to an agreement with Jail to Jobs to provide community violence intervention services to individuals at highest risk of community violence, to add one 12-month extension beginning October 1, 2023, in an amount not to exceed \$1,502,000, for a revised total agreement amount not to exceed \$2,302,000.
61. Approve an ordinance amending the Fiscal Year 2023-2024 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20230816-008) to accept and appropriate \$1,002,000 in grant funds from the Department of Justice Bureau of Justice Assistance for the City of Austin Neighborhood Peace Project Expansion, rebranded as ATX Peace.
62. Authorize negotiation and execution of an interlocal agreement with the University of Texas at Austin to provide training for clinicians to improve uptake of evidence-based practices in opioid stewardship, opioid use disorder, and opioid harm reduction, in the amount of \$250,000 for the term of September 30, 2023 through September 29, 2024, with one 12-month renewal option in the amount of \$250,000, for total agreement amount not to exceed \$500,000.
63. Authorize negotiation and execution of eight agreements with six social service agencies to provide basic needs services for 60-months beginning October 1, 2023, in an amount not to exceed \$1,808,601, divided among the six agencies.
64. Approve a resolution authorizing the acceptance of grant funding in the amount of \$931,448 from the Texas Department of Housing and Community Affairs Homeless Housing and Services Program and the Homeless Housing and Services Program General Set-Aside and Youth Set-Aside, and authorize the negotiation and execution of the related contract renewal.

Transportation

65. Authorize payment of the City's membership fees for Fiscal Year 2023-2024 to the Greater Austin-San Antonio Corridor Council for the promotion of the region's economic development, in an amount not to exceed \$100,000.

Item(s) from Council

66. 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.
67. Approve a resolution initiating rezoning for the development known as Goodnight Ranch planned unit development, generally located in the vicinity of the east side of Old Lockhart Highway between Nuckols Crossing Road and Capitol View Drive and amending conditions of zoning, including waivers or modifications of City Code requirements; initiating amendments to City Code Chapter 14-11 for the Onion Creek Metro Park District improvements.

Sponsors:

Council Member Vanessa Fuentes, Council Member Leslie Pool, Council Member Ryan Alter, and Council Member José "Chito" Vela

68. Approve a resolution expressing the Council's commitment to end suicide; directing the City Manager to perform additional outreach on the prevention of suicide, initiate amendments to Section 4-3-45 of the City Code related to design and operation requirements of an archery range or shooting facility and report back to Council by November 2023; and adding the City's support to end suicide by adding it to the City's legislative agendas.

Sponsors: Council Member Mackenzie Kelly, Council Member Alison Alter, Council Member Ryan Alter, and Council Member José Velásquez

69. Approve an ordinance waiving or reimbursing certain fees related to the 2023 Diez y Seis celebration that was held at Fiesta Gardens on September 16, 2023.

Sponsors: Council Member José Velásquez, Council Member Vanessa Fuentes, Council Member José "Chito" Vela, Mayor Pro Tem Paige Ellis, and Council Member Zohaib "Zo" Qadri

70. Approve an ordinance waiving or reimbursing certain fees related to the First Annual Summer Pool Party at the Dove Springs pool that was held on July 22, 2023.

Sponsors: Council Member Vanessa Fuentes, Council Member Mackenzie Kelly, Mayor Pro Tem Paige Ellis, and Council Member José Velásquez

71. Approve the waiver or reimbursement of certain fees for the Circle C Turkey Trot and Kids Mile to be held on November 23, 2023.

Sponsors: Mayor Pro Tem Paige Ellis, Council Member Alison Alter, Council Member Ryan Alter, Council Member Vanessa Fuentes, and Council Member José Velásquez

Item(s) to Set Public Hearing(s)

72. Set a public hearing to consider an ordinance amending Ordinance No. 20230816-004 to establish revised Power Supply Adjustments, Community Benefit Charges, and Regulatory Charges for Austin Energy customers, and make corresponding amendments to the Austin Energy Fiscal Year 2023-2024 Operating Budget in Ordinance No. 20230816-008 (Suggested date: Thursday, October 5, 2023, Austin City Hall, 301 W. Second Street, Austin, Texas 78701).
73. Set a public hearing to consider an ordinance amending City Code Title 25 to amend the North Burnet/Gateway Regulating Plan. (Suggested date: October 19, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas 78701).
74. Set a public hearing to consider an ordinance amending City Code Title 25 and Title 30 related to minimum parking requirements, including accessible parking; and amending specific area regulating plans and transit-oriented developments and related plans to align with changes in City Code. (Suggested Date: November 2, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas 78701).
75. Set a public hearing to consider an ordinance amending City Code Title 25 to create a six month pilot program modifying certain deadlines related to zoning and rezoning applications and neighborhood plan amendment applications. (Suggested date: October 19, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas 78701).
76. Set a public hearing to consider an ordinance amending City Code Title 25 to allow applicants to request amendments to Station Area Plans at any time. (Suggested date: November 2, 2023, Austin City Hall, 301 W. Second Street, Austin, Texas 78701).

77. Set a public hearing to consider an ordinance amending City Code Title 25 related to definitions and regulations applicable to childcare and adult care services. (Suggested Date: October 19, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas 78701).

Non-Consent

10:30 AM - Austin Housing and Finance Corporation Meeting

78. 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/2023/20230921-ahfc.htm>).

10:30 AM - Austin Housing Public Facility Corporation Meeting

79. 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/2023/20230921-ahpfc.htm>).

Public Hearings and Possible Actions

80. Conduct a public hearing and consider an ordinance authorizing the negotiation and execution of an economic development agreement with NXP USA, Inc., under the City of Austin Chapter 380 Economic Development Policy.
81. Conduct a public hearing and consider third reading 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 Redevelopment Planned Unit Development (PUD), C814-2021-0099, and located within the Barton Springs Zone. Related to Zoning Items #83 and #84.
82. Conduct a public hearing and consider an ordinance amending City Code Title 25 to remove the prohibition of illuminated signs in the University Neighborhood Overlay (“UNO”).

12:00 PM - Public Communication: General

Ric Shannon- Vehicle towing ordinance

Vivek Subramanian- On the occasion of Hindu festival of Rakshabandhan, (Universal Oneness Day), honoring and thanking all the city council members and their staff for their contributions and dedication.

Alisha Ball- Office of Civil Rights

Live Music

David Shabani

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

83. C14R-81-033(RCA) - Brodie Oaks Restrictive Covenant Amendment - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 4021, 4025, 4029, 4107, 4109, 4115, and 4141 South Capital of Texas Highway Northbound; 3940, 4006, 4024 - 4040, 4200, 4220, 4236 South Lamar Boulevard Southbound (Barton Creek Watershed-Barton Springs Zone). Applicant's Request: To amend a public Restrictive Covenant. Staff Recommendation and Planning Commission Recommendation: To amend a public Restrictive Covenant. Owner/Applicant: Lionstone Investments, LCFRE Austin Brodie Oaks LLC (John Schaefer). Agent: Armbrust & Brown, PLLC (Jewels Cain). City Staff: Nancy Estrada, 512-974-7617. This action concerns land located in the Barton Springs Zone.

District(s): District 5

84. C814-2021-0099 - Brodie Oaks Redevelopment PUD - Approve third reading 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. Second Reading approved with conditions on May 18, 2023. Vote: 10-0, Council Member Harper-Madison was off the dais. Applicant: Lionstone Investments, LCFRE Austin Brodie Oaks, LLC (Andrew J. Bruce; John W. Enerson). Agent: Lionheart Places (Rebecca Leonard). City Staff: Nancy Estrada, 512-974-7617. This action concerns land located in the Barton Springs Zone.

District(s): District 5

85. NPA-2021-0025.01 -Greystar 290- Approve second and third readings of an ordinance amending Ordinance No. 20081211-096 the Oak Hill Combined (West Oak Hill) 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 8328 ½, 8350, 8352 W US 290 HWY and 8110 ½, 8112 Scenic Brook Drive (Williamson Creek Watershed/Barton Springs Zone) from Neighborhood Mixed Use and Single Family to Mixed Use land use. First Reading approved on August 31, 2023 to grant Mixed Use land use. Vote: 9-0. Council Members Vela and Harper-Madison off the dais. Owner/Applicant: Schmidt Investments, LTD (RERS, Inc.) (Robert Schmidt, President). Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.) City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 8

86. C14-2022-0160 - Greystar 290 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 8328 1/2, 8350, and 8352 West U.S. 290 Highway and 8110 1/2 and 8112 Scenic Brook Drive (Williamson Creek Watershed). Applicant Request: To rezone from neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning, neighborhood commercial-neighborhood plan (LR-NP)

combining district zoning and limited office-neighborhood plan (LO-NP) combining district zoning for Tract One and limited office-neighborhood plan (LO-NP) combining district zoning and single-family residence large lot-neighborhood plan (SF-1-NP) combining district zoning for Tract Two to multifamily residence high density-neighborhood plan (MF-5-NP) combining district zoning for Tract One and limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning for Tract Two. First Reading approved multifamily residence high density-conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning for Tract One and limited office-mixed use conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning for Tract Two on August 31, 2023. Vote: 9-0. Council Members Vela and Harper-Madison off the dais. Owner/Applicant: Schmidt Investments LTD (Robert Schmidt). Agent: Armbrust & Brown, PLLC (Richard T. Suttle). City Staff: Nancy Estrada, 512-974-7617, Planning Department.

District(s): District 8

87. C14-85-288.79(RCA) - Greystar 290 - Conduct a public hearing and approve a restrictive covenant amendment on a property locally known as 8110 1/2 and 8112 Scenic Brook Drive (Williamson Creek Watershed). Applicant Request: To amend the public restrictive covenant associated with zoning case C14-2022-0160. Staff Recommendation and Planning Commission Recommendation: To amend the public restrictive covenant amendment. Owner/Applicant: Schmidt Investments LTD (Robert Schmidt). Agent: Armbrust & Brown, PLLC (Richard T. Suttle). City Staff: Nancy Estrada, 512-974-7617, Planning Department.

District(s): District 8

88. NPA-2022-0005.02 - Second Alpha .95 - Approve second and third readings of an ordinance amending Ordinance No. 010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 2404 Thrasher Lane (Carson Creek Watershed) from Commercial to Single Family land use. First Reading approved on August 31, 2023. Vote: 9-0. Council Members Vela and Harper-Madison off the dais. Owner/Applicant: Alpha Builders (Gino Shvetz). Agent: Rodney K. Bennett. City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 3

89. C14-2022-0114 - Second Alpha .96 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known 2404 Thrasher Lane (Carson Creek Watershed). Applicant Request: To rezone from general commercial services-neighborhood plan (CS-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. First Reading approved on August 31, 2023. Vote: 9-0. Council Members Vela and Harper-Madison off the dais. Owner/Applicant: Alpha Builders (Gino Shvetz). Agent: Bennett Consulting (Rodney K. Bennett). City Staff: Nancy Estrada, 512-974-7617, Planning Department. A valid petition has been filed in opposition to this rezoning request.

District(s): District 3

90. NPA-2022-0008.01 - 3117-3121 E. 12th Street - Approve second and third readings of an ordinance amending Ordinance No. 20011129-67, the Rosewood 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 3121 East 12th Street (Boggy Creek Watershed) from Commercial to Mixed Use land use. First Reading approved August 31, 2023. Vote: 10-0. Council Member Vela off the dais. Owner/Applicant: 3121 E. 12th Horizontal Investors, LP. Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Maureen Meredith, Planning Dept. (512) 974-2695.

District(s): District 1

- 91.** C14-2022-0150 - 3117-3121 E. 12th St. - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 3117 and 3121 East 12th Street (Boggy Creek Watershed). Applicant's Request: To rezone from commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, and general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. First Reading approved August 31, 2023. Vote: 10-0. Council Member Vela off the dais. Owner/Applicant: 3121 E. 12th Horizontal Investors, LP. Agent: Armbrust & Brown (Michael J. Whellan). City Staff: Jonathan Tomko, Planning Department, (512) 974-1057.

District(s): District 1

- 92.** NPA-2023-0018.04 - 7009 Guadalupe St - Rezoning - Approve second and third readings of an ordinance amending Ordinance No. 040513-30, the Brentwood/Highland 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 7009 Guadalupe Street (Waller Creek Watershed) from High Density Single Family to Multifamily Residential land use. First Reading approved on August 31, 2023. Vote: 9-0. Council Members Vela and Harper-Madison off the dais. Owner/Applicant: Julian Partridge. Agent: Permit Solutions (Crystal Lemus). City Staff: Maureen Meredith, Planning Department (512) 974-2695.

- 93.** C14-2023-0029 - 7009 Guadalupe Street Rezoning - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7009 Guadalupe Street (Waller Creek Watershed). Applicant Request: To rezone from townhouse and condominium residence-neighborhood plan (SF-6-NP) district to multifamily residence low density-neighborhood plan (MF-2-NP) combining district zoning. First Reading approved on August 31, 2023. Vote: 9-0, Council Members Vela and Harper-Madison-off the dais. Owner/Applicant: Julian Partridge. Agent: Permit Solutions LLC (Crystal Lemus). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 4

Adjourn

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A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.



City of Austin

301 W. Second Street
Austin, TX, and some
members may be
attending via
videoconference

Agenda

City Council Addendum Agenda

Thursday, September 21, 2023

10:00 AM

Austin City Hall

The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

10:00 AM – City Council Convenes

Consent Agenda

Animal Services Office

94. Authorize negotiation and execution of an amendment to the interlocal agreement with Travis County for the City's provision of animal services, for a 12-month term beginning October 1, 2023, in an amount not to exceed \$3,100,000 to be paid to the City.

Police

95. 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 Victim Crisis Intervention Project.

Sustainability

96. Approve an ordinance amending the Fiscal Year 2023-2024 Management Services Department Operating Budget Special Revenue Fund (Ordinance No. 20230816-008) to accept and appropriate \$1,000,000 in grant funds from the United States Environmental Protection Agency Climate Pollution Reduction grant to lead an effort to develop and implement a regional plan for reducing greenhouse gas emissions and other harmful air pollution.

Transportation

97. Approve a resolution authorizing the submittal of a grant application to the United States Department of Transportation for the Fiscal Year 2022-2023 Reconnecting Communities and Neighborhoods Notice of Funding Opportunity for construction of improvements associated with the I-35 Cap and Stitch Program.

District(s):

District 1; District 2; District 3; District 4; District 9

98. Authorize negotiation and execution of a grant agreement with the United States Department of Transportation for \$1,120,000 for the Our Future 35: Connecting Austin Equitably Mobility Study; approve an ordinance amending the Fiscal Year 2022-2023 Transportation and Public Works Department Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept grant funds from the United States Department of Transportation Reconnecting Communities Grant Program in the amount of \$1,120,000; and amending the Transportation and Public Works Department Capital Budget (Ordinance No. 20220817-004) to transfer in and appropriate \$1,120,000 in grant funds and to transfer in and appropriate \$280,000 from the Transportation and Public Works Department Operating Budget for the Our Future 35: Connecting Austin Equitably Mobility Study.

District(s): District 1; District 2; District 3; District 4; District 9

Item(s) from Council

99. Approve a resolution directing the City Manager to revise and implement certain policies related to training, investigations, and reporting by the Office of Police Oversight, provide updates to the Public Safety Committee, and creation of a public workgroup.

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

100. Approve an ordinance authorizing the dedication of the land located at 500 Montopolis Drive and the adjacent St. Edward's Baptist Church tract as parkland.

Sponsors: Council Member José Velásquez, Council Member Ryan Alter, Council Member Vanessa Fuentes, Council Member Natasha Harper-Madison, and Council Member José "Chito" Vela

101. Approve a resolution directing further exploration of on-site affordable housing at 1215 Red River Street and 606 East 12th Street, formerly known as HealthSouth.

Sponsors: Council Member Zohaib "Zo" Qadri, Council Member Vanessa Fuentes, Council Member Natasha Harper-Madison, Council Member José "Chito" Vela, and Council Member José Velásquez

Non-Consent

Items Associated with Public Hearings

102. Approve a resolution relating to the Palm District Plan and initiating amendments to the Downtown Austin Plan and to City Code Title 25.

Public Hearings and Possible Actions

103. Conduct a public hearing and consider an ordinance adopting the Palm District Plan as an element of the Imagine Austin Comprehensive Plan.
104. Conduct a public hearing and consider an ordinance regarding a site-specific amendment to City Code Chapter 25-8, Subchapter A, Article 13 (Save Our Springs Initiative) to address development related to the proposed Barton Springs Bathhouse Rehabilitation Project (2012-0104D(R6)). This action concerns land located in the Barton Springs Zone.

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

- 105.** C14-2022-0140 - Brentwood Multifamily - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5401, 5403 and 5407 Clay Avenue, 1705 Houston Street, and 5402, 5404, 5406, and 5408 William Holland Avenue (Shoal Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning, and general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, and multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning and multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning and multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning. Owner/Applicant: GDC-NRG Brentwood LLC. Agent: DuBois, Bryant & Campbell, LLP (David Hartman). City Staff: Jonathan Tomko, Planning Department, (512) 974-1057.

District(s):

District 7

Adjourn

Note: The above item(s) will be considered under its respective category, but follow the last number on the Austin, Texas, City Council Agenda for Thursday, September 21, 2023

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