



Thursday, October 5, 2023

The City Council will convene at 10:00 AM on Thursday, October 5, 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 – National Co-op Month – To be presented by Mayor Kirk Watson and to be accepted by Sylnovia Holt-Rabb, Director of the Economic Development Department

Proclamation – National Women’s Small Business Month – To be presented by Mayor Kirk Watson and to be accepted by Sylnovia Holt-Rabb, Director of the Economic Development Department

Proclamation – Cybersecurity Awareness Month – To be presented by Mayor Kirk Watson and to be accepted by Shirley Erp, Chief Information Security Officer

Proclamation – Domestic Violence Awareness Month – To be presented by Council Member Vanessa Fuentes

Proclamation – Ageism Awareness Day – To be presented by Council Member Fuentes

10:00 AM – City Council Convenes

Consent Agenda

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of September 12, 2023, regular meeting of September 14, 2023, work session of September 19, 2023, and regular meeting of September 21, 2023.

Economic Development Department

2. Approve a proposed multifamily and commercial development at 800 E. St. Johns Avenue (formerly 7309 and 7211 N. IH-35) under Texas Local Government Code Chapter 303 (Public Facility Corporations) and authorize options to repurchase the property after 60 years or to extend the tax exemption incentives related to affordability requirements.

Emergency Medical Services

3. Approve third reading of an ordinance renewing a non-emergency medical transfer franchise for American Medical Response of Texas, Inc. under City Code Chapter 10-2.

4. Approve third 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.

Financial Services

5. Approve a resolution adopting the City of Austin Fiscal Year 2023-24 Investment Policy.

Financial Services- Contracts

6. Authorize negotiation and execution of a contract for vertical turbine pumps with Pump Solutions Inc. in an amount not to exceed \$157,877.

[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].

7. Authorize negotiation and execution of a contract for water management strategy assessment and vulnerability evaluation consultant services with The RAND Corporation, for a term of two years in an amount not to exceed \$271,000.

[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].

8. Authorize negotiation and execution of a contract for LinkedIn Learning Hub subscription services with Carahsoft Technology Corp., for a term of three years in an amount not to exceed \$400,000.

[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].

9. Authorize execution of two contracts for two-way radio parts and accessories with Tessco Incorporated d/b/a Tessco Technologies Incorporated and TKABO Technical Solutions, LLC, each for a term of five years for total contract amounts not to exceed \$900,000, divided between the contractors.

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

10. Authorize execution of seven contracts for electrical supplies with KBS Electrical Distributors Inc.; Techline Inc.; Wesco Distribution, Inc. d/b/a Hi-Line Utility Supply Co., LLC; Power Supply Inc.; Priester-Mell & Nicholson Inc., Consolidated Electrical Distributors Inc. d/b/a CED - Austin; and Apfelbaum Industrial Inc.; each for up to five years for total a contract amount not to exceed \$9,000,000, divided among the contractors.

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

11. Authorize negotiation and execution of a contract for incident management software licenses and maintenance support with Cority Software, Inc., for up to five years for a total contract amount not to exceed \$2,350,000.

[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].

12. Authorize negotiation and execution of three contracts for power plant maintenance services with ProServ Industrial Contractors, LLC, Taurus Industrial Group, LLC, and Thielsch Engineering, Inc., each for up to five years for a total contract amount not to exceed \$27,000,000, divided among the contractors.

[Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) and subcontractor goals were applied to the procurement. Subcontracting goals were met by all recommended contractors].

13. Authorize execution of seven contracts for electrical materials with Wesco Distribution, Inc. d/b/a Hi-Line Utility Supply Co., LLC; Power Supply Inc.; Priester-Mell & Nicholson Inc.; JMR Technology Inc.; Graybar Electric Company, Inc.; KBS Electrical Distributors Inc.; and Techline Inc., each for up to five years for a total contract amount not to exceed \$8,500,000, divided among the contractors.

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

14. Authorize negotiation and execution of a contract for valve repair, replacement, and testing services with Southeast Valve, Inc., for up to five years for a total contract amount not to exceed \$4,000,000.

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

15. Authorize execution of a contract for 2024 Miscellaneous Residential Streets Fog Seal with Intermountain Slurry Seal, Inc., for a total contract amount not to exceed \$8,000,000.

[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 3.15% MBE/WBE combined participation].

16. Authorize negotiation and execution of a contract for installation of the overhead self-supported poles at McKinney Falls Parkway and William Cannon Drive with Bluebonnet

Electric Cooperative, Inc., in an amount not to exceed \$111,942.

[Note: Sole source contracts are exempt from the City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established].

17. Authorize execution of a contract for the Teri Road and Pleasant Valley Road roundabout project with Muñiz Concrete & Contracting, Inc., in the amount of \$1,799,694 plus a \$179,970 contingency for a total contract amount not to exceed \$1,979,664.

[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 7.52% MBE and 1.86% WBE participation].

District(s): District 2

18. Authorize negotiation and execution of a contract for Cornell pumps with Mansfield Pump Company, for a term of five years in an amount not to exceed \$435,000.

[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).

19. Authorize negotiation and execution of a contract for early wildfire detection services with Pano AI, Inc., for up to five years for a total contract amount not to exceed \$3,225,600.

[Note: Sole source contracts are exempt from the City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established].

20. 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 Airport Expansion Development Program: AUS Central Utility Plant Relocation Project.

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

21. 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

22. Approve a resolution consenting to the issuance of Multifamily Private Activity Bonds by Austin Affordable PFC, Inc., an affiliate of the Housing Authority of the City of Austin, in an amount not to exceed \$50,000,000 to finance, in part, the new construction of an affordable rental development located at or near 13411 FM Road 812, Austin, Texas, 78617.

Human Resources

23. Authorize negotiation and execution of an interlocal agreement with the Austin Transit Partnership Local Government Corporation to participate as an affiliated employer in the City's group benefits program for employee healthcare and related coverages.

Management Services

24. Approve an ordinance setting the Council meeting schedule for calendar year 2024 and setting the budget and tax rate hearings for Fiscal Year 2024-2025.

Item(s) from Council

25. 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.
26. Approve an ordinance waiving or reimbursing certain fees for a panel discussion of HB 2127 hosted by the League of Women Voters on September 23, 2023.

Sponsors: Council Member Leslie Pool, Mayor Kirk Watson, Council Member José "Chito" Vela, Council Member Zohaib "Zo" Qadri, and Council Member Alison Alter

Item(s) to Set Public Hearing(s)

27. Set a public hearing related to an application by ECG Blue Ridge LP, or an affiliated entity, for housing tax credits for a multi-family development to be financed through the private activity bond program and to be known as Blue Ridge located at or near 9825 Wildhorse Ranch Trail, Austin, Texas 78724. (Suggested date: Thursday, October 19, 2023, Austin City Hall, 301 West 2nd Street, Austin, Texas 78701).

District(s): District 1

28. Set a public hearing to consider an ordinance amending City Code Title 25 to allow amendments to community plans, area wide plans, and regulating plans at any time. (Suggested date: November 2, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas 78701).
29. Set a joint public hearing between the City Council and Planning Commission to consider an ordinance amending City Code Chapter 25-2 (Zoning) regulations applicable in single-family (SF) zoning districts and to dwelling unit occupancy (Suggested date: October 26, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas, 78701); and set a public hearing to consider an ordinance amending City Code Chapter 25-2 (Zoning) regulations applicable in single-family (SF) zoning districts and to dwelling unit occupancy (Suggested date: December 14, 2023, at Austin City Hall, 301 W. Second Street, Austin, Texas, 78701).

Non-Consent

Eminent Domain

30. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Upper Harris Branch Wastewater Interceptor -

Phase 2 project for the public use of installing wastewater infrastructure, requiring the acquisition of one Wastewater Easement being approximately 0.942 acre of land (41,032 square feet), and one Temporary Working Space Easement being approximately 0.217 acre of land (9,468 square feet, consisting of two parts of approximately 7,801 and 1,667 square feet) being out of and a part of Lot 1, Block E, Dessau Park II, a subdivision in the City of Austin, Travis County, Texas, according to the plat thereof, recorded in Document No. 200100244, Official Public Records of Travis county, Texas and being out of and a part of the Samuel Cushing Survey Number 70, Abstract 164, Travis County, Texas; conveyed to Kunik QOZB, LLC in that certain Special Warranty Deed executed December 9, 2021, filed and recorded in Document No. 2021270556, Official Public Records of Travis County, Texas, currently appraised at \$101,720 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Kunik QOZB, LLC, a Delaware limited liability company. The property is located at 1900 East Howard Lane, Pflugerville, Texas 78660. The general route of the project is in the Upper Harris Branch from Dessau Rd to Harris Branch Parkway.

District(s): District 1

10:30 AM - Austin Housing and Finance Corporation Meeting

31. 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 austintexas.gov/department/city-council/2023/20231005-ahfc.htm).

Public Hearings and Possible Actions

32. Conduct a public hearing and consider an ordinance amending the Imagine Austin Comprehensive Plan to update the Austin Strategic Mobility Plan and to adopt the Urban Trails Plan, Bicycle Plan, and Sidewalks, Crossings, and Shared Streets Plan.
33. Conduct a public hearing and consider an ordinance amending Ordinance No. 20230816-007 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.

12:00 PM - Public Communication: General

Carol Fraser- IH 35 expansion

Jordyn Middlebrooks- I-35 Expansion

Hannes Mandel- I-35 Expansion

Cedar Stevens- IH 35 expansion

Kaiba White- Fayette coal plant

Annie Stokes- A 74-year old being robbed in a city-owned building by their leasing office.

Dale Bulla- Fayette Coal Plant

Chris Flores- Citizen Review of Barton Springs Bathhouse Rehab Plan and Zilker Cafe RFP

Nova Jones- Retire the Fayette Coal Plant.

Virginia Raymond- APD's arrest, on September 2, 2023, of Franck Sappi Tchoulack Jeugoum (March 24, 2002 - September 13, 2023) at 7017 Menchaca Road in Austin.

The Affidavit for Warrant of Arrest and Detention in this arrest is a public record, although the late Franck Sappi Tchoulack Jeugoum did not give the APD officers his real name. The person arrested is identified on the affidavit as "Maxwell Enrique B.M. 04.22.2003" and was charged with the Class-A Misdemeanor, Burglary of a Vehicle.

I will provide copies of this document for the Mayor and each City Council Member for their convenience, but in the meantime, is should be filed as Travis County C-1-CR-23-208410.

Live Music

Matthew Robinson

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

- 34.** C14-2023-0076 - 3 Men Movers - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 9989 East U.S. Highway 290 Service Road Eastbound (Gilleland Creek Watershed). Applicant Request: To zone from interim-rural residence (I-RR) district zoning to limited industrial service (LI) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services (CS) district zoning. Owner: Austin 130, LLC (Jackie Fischer). Applicant: HD Brown Consulting, LLC (Amanda C. Brown). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 1

- 35.** C814-2008-0136.02 - North Austin Medical Centre Planned Unit Development Amendment #2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12221 North Mo-Pac Expressway Northbound and 2311-2511 Park Bend Drive (Walnut Creek Watershed). Applicant Request: To rezone from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning, to change a condition of zoning. Applicant: St. David's Healthcare Partnership, LP, LLP. Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

- 36.** C14-2022-0174 - 2700 South Lamar Follow-Up - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2800 and 2801 Skyway Circle (Barton Creek Watershed). Applicant's Request: To rezone from multifamily residence medium density (MF-3) district zoning to multifamily residence

highest density (MF-6) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant multifamily residence highest density (MF-6) district zoning. Owner/Applicant: 2800 Skyway, LLC and Seamless LMA, Ltd. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Jonathan Tomko, Planning Department, (512) 974-1057.

District(s): District 5

37. C14-2023-0036 - 2700 South Lamar Follow-Up 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2800 and 2802 South Lamar Boulevard and 2805 and 2807 Skyway Circle (Barton Creek Watershed). Applicant's Request: To rezone from community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning to community commercial-mixed use-vertical mixed use building- conditional overlay (GR-MU-V-CO) combining district zoning and general commercial services-mixed use-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building- conditional overlay (GR-MU-V-CO) combining district zoning and general commercial services-mixed use-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning. Owner/Applicant: 2800 Skyway, LLC and Seamless LMA, Ltd. Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Jonathan Tomko, Planning Department, (512) 974-1057.

District(s): District 5

38. C14-2023-0066 - 6905 West Gate Blvd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6905 West Gate Boulevard (Williamson Creek Watershed). Applicant's Request: To rezone from limited office (LO) district zoning to neighborhood commercial (LR) district zoning, as amended. Staff Recommendation and Planning Commission Recommendation: To grant neighborhood commercial (LR) district zoning. Owner/Applicant: First Texas Dollar Partner LLC (Michael Hankins). Agent: Lentworth Consulting LLC (Ignacio Gonzales, Jr.). City Staff: Cynthia Hadri, 512-974-7620.

Lead Department
Planning Department.

District(s): District 5

39. C14-2023-0051 - 7938 Great Northern Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7934, 7938, 7940, 7942, 7944, 7946, 7948, and 7950 Great Northern Boulevard (Shoal Creek Watershed). Applicant Request: To rezone from community commercial (GR) and commercial-liquor sales (CS-1) district zoning to community commercial-mixed use-vertical mixed use building (GR-MU-V) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building (GR-MU-V) combining district zoning. Owner/Applicant: 7938 Great Northern, LP. Agent: Armbrust & Brown PLLC (Richard T. Suttle, Jr.). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

- 40.** C814-06-0106.03 - Hyatt West PUD Amendment - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 151 South 1st Street (Lady Bird Lake Watershed). Applicant's Request: To rezone from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. Staff Recommendation and Planning Commission Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning. Owner/Applicant: River South Venture, LLC. Agent: Drenner Group, PC (Leah Bojo). City Staff: Nancy Estrada, Planning Department, 512-974-7617.

District(s): District 9

Adjourn

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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.