



Thursday, November 2, 2023

The City Council will convene at 10:00 AM on Thursday, November 2, 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 – Code Month – To be presented by Council Member José “Chito”

10:00 AM – City Council Convenes

Consent Agenda

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of October 17, 2023, and regular meeting of October 19, 2023.

Austin Resource Recovery

2. Approve a resolution adopting the 2023 Austin Resource Recovery Comprehensive Plan.

Emergency Medical Services

3. Authorize negotiation and execution of an amendment to the interlocal agreement with Travis County to provide emergency medical services in areas of Travis County outside the City’s corporate limits and dispatch support services to Travis County’s STAR Flight program in exchange for payment by Travis County. Related to Item #4.
4. Approve an ordinance amending the Fiscal Year 2023-2024 General Fund Operating Budget (Ordinance No. 20230816-008) to increase revenue in the Emergency Medical Services Department in the amount of \$1,253,111 and increase appropriations in the Emergency Medical Services Department Operating Budget by \$1,253,111 to provide additional emergency services for the interlocal agreement with Travis County for emergency medical services in Fiscal Year 2023-2024. Related to Item #3.

Financial Services

5. Approve a resolution initiating zoning for the properties owned by the City referred to as the Northeast Service Center, generally located in the vicinity south of Johnny Morris Road, west of Daffan Lane, east of Breezy Hill Drive, and north of Daves Landing Drive.

6. Approve an ordinance amending the Fiscal Year 2023-2024 General Fund Operating Budget (Ordinance No. 20230816-008) to increase appropriations in the Emergency Medical Services Department Operating Budget by \$4,079,699 and Austin Fire Department Operating Budget by \$11,229,178 and decrease the General Fund Operating Budget Other Requirements by \$15,308,877 to provide additional funds to cover sworn personnel expenditures related to wages and benefits.

Financial Services- Contracts

7. Authorize execution of a contract for mobile and in-shop glass replacement services for City-owned vehicles and equipment with Longhorn Mobile Glass Service Inc., for a term of five years in an amount not to exceed \$864,000.

[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].

8. Authorize an amendment to a contract for engineering services for the Barton SoCo Reclaimed Water Main project with K Friese and Associates, Inc., to increase the contract amount by \$342,500 for a revised total contract amount not to exceed \$1,030,048.

[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 59.29% MBE and 36.77% WBE].

9. Authorize execution of a contract for the Austin Energy System Control Center Roof Replacement project with Port Enterprises, Ltd., in the amount of \$1,945,000, plus a \$194,500 contingency, for a total contract amount not to exceed \$2,139,500.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 0.17% MBE and 0.00% WBE participation].

District(s): District 3

10. Authorize an amendment to a contract for engineering services for the Fallwell Lane Capital Renewal with Halff Associates, Inc. to increase the amount by \$500,000, for a revised total contract amount not to exceed \$3,500,000.

[Note: This amendment will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 23.52% DBE].

11. Authorize execution of a contract for air filters with Filter Technology Co. Inc., for up to six years for a total contract amount not to exceed \$500,000.

[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].

12. Authorize execution of three contracts for janitorial supplies with HD Supply Facilities Maintenance Ltd. d/b/a USABlueBook and d/b/a/ The Home Depot Pro; Ferguson US Holdings, Inc. d/b/a Ferguson Enterprises, LLC; and Safeway Supply Inc.; each for a term of five years for total contract amounts not to exceed \$17,000,000, 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].

13. Ratify a contract for meal services during Winter Storm Mara with Catering by Rosemary, Inc. d/b/a The Rk Group d/b/a TX Espresso d/b/a The Capitol Group, in the amount of \$252,000.

[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].

14. Authorize execution of four contracts for polyvinyl chloride conduit and accessories with Texas Electric Cooperatives, Forwawteh I Kalloh d/b/a Greenville Enterprises LLC, Graybar Electric Company, Inc. d/b/a Graybar, and Turtle & Hughes, Inc. d/b/a Turtle & Hughes, each for up to five years for total contract amounts not to exceed \$3,400,000, 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].

15. 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].

16. Authorize negotiation and execution of all documents and instruments necessary or desirable to sell approximately 0.0668 acre (2,908 square feet) of land out of the Santiago Del Valle Survey, Abstract No. 24, Travis County, Texas, conveyed to the City of Austin and recorded in document 2003156287, Official Public Records, Travis County, located on the east side of Interstate Highway 35, south of Teri Road, to the Texas Department of Transportation for the IH 35 South expansion for an amount not less than \$66,936.

District(s): District 2

17. Authorize negotiation and execution of all documents and instruments necessary or desirable to convey easements for a gas pipeline, pipeline facilities, permanent access and temporary

construction access generally located at 8003 Decker Lane, Austin, Texas 78724, to Enterprise Texas Pipeline LLC for a total purchase amount of not less than \$412,454.

District(s): District 1

Housing

18. Approve a resolution related to an application by LDG Kingswood, LP, or an affiliated entity, for housing tax credits for a multi-family development of approximately 328 units to be financed through the private activity bond program and to be known as Kingswood, located at or near 13411 FM Road 812, Austin, Texas, 78617, within the City's extraterritorial jurisdiction.

Law

19. Approve a settlement in Gregoria Macias v. City of Austin, Cause No. D-1-GN-22-003618, in the 353rd District Court, Travis County, Texas.

Public Health

20. Authorize negotiation and execution of an agreement with Austin Area Urban League to provide housing/rental payment assistance to prevent homelessness of low-income tenants, for a 60-month term beginning October 1, 2023, in an amount not to exceed \$4,377,141.

Item(s) from Council

21. 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.

22. Approve an ordinance waiving or reimbursing certain fees for a community discussion based on themes explored in the PBS docuseries, "A Town Called Victoria," hosted by ATCV, LLC, to be held at the Asian American Resource Center on November 18, 2023.

Sponsors: Council Member Zohaib "Zo" Qadri, Council Member Alison Alter, Council Member Vanessa Fuentes, and Council Member José Velásquez

23. Approve a resolution directing the City Manager to create and execute a plan to support a positive, safe, and inclusive experience for viewing the total eclipse on April 8, 2024.

Sponsors: Council Member Alison Alter, Council Member José "Chito" Vela, Council Member José Velásquez, Mayor Pro Tem Paige Ellis, and Council Member Mackenzie Kelly

24. Approve a resolution directing the City Manager to explore opportunities and develop a strategy to build awareness and minimize barriers for house relocation and deconstruction.

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

25. Approve an ordinance waiving and modifying certain City Code requirements for the South by Southwest Conferences and Festival to be held March 4-17, 2024.

Sponsors: Mayor Kirk Watson, Mayor Pro Tem Paige Ellis, Council Member Vanessa Fuentes, and Council Member Zohaib "Zo" Qadri

Non-Consent

Eminent Domain

26. 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 1 Project for the public use of installing wastewater infrastructure requiring the acquisition of one wastewater easement consisting of approximately 2.551 acres (111,098 square feet) and one temporary working space easement consisting of approximately 1.086 acres (47,323 square feet), out of the Mariquita Castro Survey, Abstract Number 160, Section 50, Travis County, Texas, being a portion of the remainder of a called 78.516-acre tract, described to Eton Meadows, LP recorded in Document No. 2003006187 of the Official Public Records of Travis County, Texas, currently appraised at \$270,580, subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Eton Meadows, LP. The property is located at 00 Parmer Lane, Austin, Texas 78653. The general route of the project is the Upper Harris Branch wastewater basin from Dessau Road to Harris Branch Parkway.
27. 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. 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.

Public Hearings and Possible Actions

28. Conduct a public hearing and consider an ordinance amending City Code Title 25 (Land Development) to eliminate minimum parking space requirements, except for accessible parking spaces.
29. Conduct a public hearing and consider an ordinance to designate all territory within the City's municipal boundaries as urban, suburban, or central business district for the purposes of establishing parkland dedication fees to comply with state law House Bill 1526 (88th Regular Session).

12:00 PM - Public Communication: General

Diana Prechter - I have studied the budget and expense data for the Parks and Recreation Department from the City's Open Budget web site. I can show you a spreadsheet for the account called "Zilker Park Maintenance" for the 5-years between September 2018 through August 2023. I see that the actual money spent on Zilker Park maintenance is significantly lower than the budgeted amount. It appears that there should be a surplus of \$1.676 million that City Council allocated to Zilker Park Maintenance that has not been spent. The park has long-standing urgent needs for ecological restoration, from small projects like removal of invasive species to large projects like the revegetation of the Polo Field and the restoration of the Barton Creek banks (from the region of the spillway to Lou Neff Point). In May 2021, the City paid for and received a report by the Siglo Group titled "Zilker Park Natural Resource Inventory & Management Guidelines." It provides a detailed ecological evaluation of Zilker Park with recommended remediation strategies. I ask at this time that the Council Members and City Managers investigate the surplus budget for Zilker Park Maintenance; in addition, investigate the income from 5-years of Zilker Park operations from leases, concessions, parking fees and pool fees (income data which I have not yet been able to locate), and also the PARD CIP Fund to determine if those funds related to Zilker Park are indeed available. I ask Council Members to evaluate the current state of ecological damage: I would be happy to take anyone here on a walking tour of the ecological damage in the park. I ask Council to direct PARD to consult the Silo Group report, to select ecological remediation projects, and begin those projects during the winter season 2023-2024, an ideal time when we might get rain and fewer visitors to the water-zone of the park.

Sandra Muller - Audit report

Julian Reyes - News of Austin

Dustin Grant - Mearns Meadow 4/20 Flood and continued 311 ticket mismanagement.

Zainab Haider - Response to Mayors comments

Andrew Teekell - Home Options for Middle-Income Empowerment (HOME) Amendments

Meghan Cassin - Commenting on plans for rezoning SFH neighborhoods in District 10

Kamil Cook - Austin Energy giving up on the negotiations of shutting down their portion of the Fayette Coal Plant 2 years ago.

Shane Johnson - The 2nd anniversary of Austin Energy failing to retire the Fayette coal plant and the need to transition off of fossil fuels as soon as possible.

Al Braden - Fayette Coal Plant Closure

Live Music

Music – Jaime Ospina

Executive Session

30. Discuss legal issues related to the confidentiality of police officer personnel files (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).
31. Discuss legal issues related to the protests that occurred on May 30 and 31, 2020 (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).

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

32. C14-2023-0060 - Kintsugi North Loop Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1505 West North Loop Boulevard (Shoal Creek Watershed). Applicant Request: To rezone from limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning to general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning. Owner: Playa Sonando, Inc. Applicant/Agent: Thrower Design LLC (A. Ron Thrower). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

33. NPA-2023-0014.02.SH - 5901 Drowsy Willow Trail - Conduct a public hearing and approve an ordinance amending Ordinance No. 20021010-11, the Southeast 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 5156 Village Square Drive and 5900 through 5923 Drowsy Willow Trail (Williamson Creek Watershed) from Single Family and Recreation & Open Space to Multifamily Residential land use. Staff and Planning Commission recommendation: To grant Multifamily Residential land use. Owner/Applicant: Austin Housing Finance Corporation. Agent: City of Austin, Housing Department (Courtney Banker). City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 2

34. C14-2023-0078.SH - 5901 Drowsy Willow Trail - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5156 Village Square Drive and 5900 through 5923 Drowsy Willow Trail (Williamson Creek Watershed). Applicant Request: To rezone from planned unit development-neighborhood plan (PUD-NP) combining district to multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. Owner/Applicant: Austin Housing Finance Corporation. Agent: City of Austin, Housing Department (Courtney Banker). City Staff: Nancy Estrada, Planning Department, (512) 974-7617.

District(s): District 2

35. NPA-2023-0014.01.SH - 5900 S. Pleasant Valley Apartments - Conduct a public hearing and approve an ordinance amending Ordinance No. 20021010-11, the Southeast 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 5900 and 5902 through 5925 Rapid Creek Trail (Williamson Creek Watershed) from Single Family and Recreation & Open Space to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: Austin Housing Finance

Corporation. Agent: City of Austin, Housing Department (Courtney Banker). City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 2

36. C14-2023-0071.SH - 5900 S. Pleasant Valley Apartments - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5900 and 5902 through 5925 Rapid Creek Trail (Williamson Creek Watershed). Applicant Request: To rezone from planned unit development-neighborhood plan (PUD-NP) combining district to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Owner/Applicant: Austin Housing Finance Corporation. Agent: City of Austin, Housing Department (Courtney Banker). Staff: Nancy Estrada, Planning Department, (512) 974-7617.

District(s): District 2

37. C814-06-0106.03 - Hyatt West PUD Amendment - Approve second and third readings of 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. First Reading approved on October 5, 2023. Vote: 7-1. Council Member R. Alter voted nay. Council Member Harper-Madison, Council Member A. Alter, and Council Member Pool were off the dais. 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

38. NPA-2023-0018.02 - Koenig - Conduct a public hearing and approve 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 properties locally known as 1911, 2001, 2003, 2005 and 2007 West Koenig Lane and 1902, 1904, 1906 Ullrich Avenue (Shoal Creek Watershed) from Mixed Use/Office and Single Family to Multifamily Residential and Higher Density Single Family land use. Staff recommendation: To grant Multifamily Residential land use. Planning Commission Recommendation: To grant Multifamily Residential and Higher Density Single Family land use. Owner/Applicant: GDC-NRG, LLC (Adam Moore). Agent: Glasco Consulting (Alice Glasco). City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 7

39. C14-2023-0019 - Koenig - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1911, 2001, 2003, 2005, and 2007 West Koenig Lane and 1902, 1904, and 1906 Ullrich Avenue (Shoal Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning and limited

office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district zoning to multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning and townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning.

Owner/Applicant: GDC-NRG Koenig, LLC. Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Jonathan Tomko, (512) 974-1057.

District(s): District 7

- 40.** C14-2023-0045 - 2404 Rutland Drive - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2404 Rutland Drive (Little Walnut Creek Watershed). Applicant Request: To rezone from north burnet/gateway-neighborhood plan (NBG-NP) combining district zoning (warehouse mixed use subdistrict) to north burnet/gateway-neighborhood plan (NBG-NP) combining district zoning (commercial mixed use-gateway zone subdistrict). Staff Recommendation and Planning Commission Recommendation: To grant north burnet/gateway-neighborhood plan (NBG-NP) combining district zoning (commercial mixed use-gateway zone subdistrict). Owner/Applicant: Denton Rutland LLC. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.

District(s): District 7

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.