

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, OCTOBER 19, 2023**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, October 19, 2023, at Austin City Hall, 301 W. 2nd Street, Austin, TX and via videoconference.

PROCLAMATIONS

Proclamation – East Austin Conservancy Day – To be presented by Mayor Kirk Watson and to be accepted by Raul Alvarez, Co-Founder and Board Member of the East Austin Conservancy

Proclamation – Hill Country Night Sky Month – To be presented by Mayor Pro Tem Paige Ellis and to be accepted by Eric Castro of the group Travis County Friends of the Night Sky

Proclamation – 2013 Austin Flood Remembrance Day – To be presented by Council Member Vanessa Fuentes and to be accepted by Jorge Morales, Director of the Watershed Protection Department

Proclamation – Arbor Day and Monarch Appreciation Day – To be presented by Council Member Vanessa Fuentes and to be accepted by Amanii Luper, Roots & Wings Festival Coordinator

Proclamation – National Retirement Security Month – To be presented by Council Member Alison Alter and to be accepted by accepted by Deputy Chief Financial Officer and 457 Plan Administrator Diana Thomas and 457 Plan Committee Vice Chair Nathan Blake

Mayor Watson called the Council Meeting to order at 10:00 a.m. Council Member Harper-Madison was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council special called meeting of February 15, 2023, and regular meeting of October 5, 2023.
The motion to approve the minutes of the Austin City Council special called meeting of February 15, 2023, and regular meeting of October 5, 2023, was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.
2. Approve an ordinance authorizing the issuance of City of Austin Water and Wastewater System Revenue Bonds, Series 2023A in the par amount of \$18,000,000; and approving related documents.
Ordinance No. 20231019-002 was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.
3. Authorize negotiation and execution of an amendment to the cost participation agreement with Meritage Homes of Texas, LLC for costs associated with the design and construction of an oversized wastewater interceptor and appurtenances related to Service Extension Request No. 4239 to increase the amount by \$1,334,000 for a total amount not to exceed \$2,565,397. October 11, 2023: Recommended by the Water and Wastewater Commission on a 7-0 vote with one absence and three vacancies.
The motion authorizing negotiation and execution of an amendment to the cost participation agreement with Meritage Homes of Texas, LLC was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.
4. Authorize negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for City requested water and wastewater capacity improvements associated with the Interstate Highway 35 Capital Express Central (Lady Bird Lake Section) Roadway Project in the amount of \$11,631,654.57 plus a 10% contingency of \$1,163,165.46, for a total amount not to exceed \$12,794,820.03. October 11, 2023: Recommended by the Water and Wastewater Commission on a 7-0 vote with one absence and three vacancies.
The motion authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.
5. Approve an amendment to Ordinance No. 20230420-020 to authorize negotiation and execution of an amendment to the Advance Funding Agreement with the Texas Department of Transportation in order to revise the scope of the construction project to MoKan Corridor Trail from Tillery Street to Springdale Road. October 11, 2023: Recommended by the Water and Wastewater Commission on a 7-0 vote with one absence and three vacancies.

The motion approving an amendment to Ordinance No. 20230420-020 to authorize negotiation and execution of an amendment to the Advance Funding Agreement with the Texas Department of Transportation was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

6. Approve a resolution adopting the voting systems of Travis, Williamson, Hays, and Bastrop Counties to be used in City elections.

Resolution No. 20231019-006 was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

7. Authorize execution of a contract for air cushion swing check valves and repair services with Integral Logistics Corp., for a term of five years in an amount not to exceed \$5,000,000. [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 insufficient subcontracting opportunities; therefore, no subcontracting goals were established]. October 11, 2023: Recommended by the Water and Wastewater Commission on a 7-0 vote with one absence and three vacancies.

This item was postponed to November 30, 2023, on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

8. Authorize an amendment to a contract for continued interment and burial services with Interment Services Inc., to extend the term by two years and to increase the amount by \$2,065,000 for a revised total contract amount not to exceed \$11,011,000. [Note: This contract was awarded in compliance with City Code Chapter 2-9C (Minority and Women Owned Business Enterprise Procurement Program). There are no subcontracting opportunities associated with the contract, therefore no goals were established].

The motion authorizing an amendment to a contract with Interment Services Inc. was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

9. Authorize negotiation and execution of a contract for medical ventilators, accessories, and services with Hamilton Medical, Inc., 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 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of a contract with Hamilton Medical, Inc. was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

10. Authorize negotiation and execution of a contract for blood products with We Are Blood, for a term of five years in an amount not to exceed \$1,000,000. [Note: Sole source contracts are exempt from the City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established].
The motion authorizing negotiation and execution of a contract with We Are Blood was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.
11. Authorize negotiation and execution of a contract for defibrillators, accessories, supplies, and services with ZOLL Medical Corporation, for a term of five years in an amount not to exceed \$10,050,000. [Note: Sole source contracts are exempt from the City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established].
The motion authorizing negotiation and execution of a contract with ZOLL Medical Corporation was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.
12. Authorize negotiation and execution of a contract for Acushnet golf products for resale with Acushnet Company, for up to five years for a total contract amount not to exceed \$1,625,000. [Note: Sole source contracts are exempt from the City Code Chapter 2-9D (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established].
The motion authorizing negotiation and execution of a contract with Acushnet Company was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.
13. Authorize negotiation and execution of a contract for roadway closure notification software with SADA Systems, Inc., for a term of five years in an amount not to exceed \$1,325,000. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].
The motion authorizing negotiation and execution of a contract with SADA Systems, Inc. was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.
14. Authorize negotiation and execution of a contract for an immersive interactive training room including maintenance and support services with Echo Healthcare Inc. d/b/a Echo Healthcare, for a term of one year in an amount not to exceed \$793,280. [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].

The motion authorizing negotiation and execution of a contract with Echo Healthcare Inc. doing business as Echo Healthcare was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

15. Authorize an amendment to a contract for continued digital signage software with Four Winds Interactive, LLC, to extend the term by 15 months and to increase the amount by \$92,000 for a revised total contract amount not to exceed \$383,759. [Note: Sole source contracts are exempt from City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program); therefore, no subcontracting goals were established].

The motion authorizing an amendment to a contract with Four Winds Interactive, LLC was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

16. Authorize negotiation and execution of a contract for simple cycle generator testing, repair, and maintenance with Baseload Power Generation Parts and Services, LLC, for up to five years for a total contract amount not to exceed \$15,000,000. [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]. October 16, 2023- Recommended by the Electric Utility Commission on a 7-1 vote with Commissioner White voting against, Commissioner Bowen and Chapman absent, and one vacancy.

The motion authorizing negotiation and execution with Baseload Power Generation Parts and Services, LLC was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

17. Authorize execution of a contract for construction services for the Bull Creek Basin Wastewater Pipelines Renewal project with Facilities Rehabilitation, Inc., in the amount of \$3,288,275 plus a \$328,828 contingency for a total contract amount not to exceed \$3,617,103. [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 77.63% MBE and 1.22% WBE participation]. District(s) Affected: District 6, District 10. October 11, 2023: Recommended by the Water and Wastewater Commission on a 7-0 vote with one absence and three vacancies.

The motion authorizing execution of a contract with Facilities Rehabilitation, Inc. was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

18. Authorize negotiation and execution of a contract for engineering services for the Davis Medium Service Water Transmission Main with Black & Veatch Corporation, in an amount not to exceed \$18,000,000. [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 12.70% MBE and 8.89% WBE participation]. District(s) Affected: District 1, District 9, District 10. October 11, 2023: Recommended by the Water and Wastewater Commission on a 7-0 vote with one absence and three vacancies.

The motion authorizing negotiation and execution of a contract with Black & Veatch Corporation was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

19. Authorize execution of a contract for construction services for the Oltorf Street Reclaimed Water Main Phase 2 project with Cash Construction Company, Inc., in the amount of \$10,401,106 plus a \$1,040,111 contingency, for a total contract amount not to exceed \$11,441,217. [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 2.42% MBE and 0.08% WBE participation]. District(s) Affected: District 3, District 9. October 11, 2023: Recommended by the Water and Wastewater Commission on a 7-0 vote with one absence and three vacancies.

The motion authorizing execution of a contract with Cash Construction Company, Inc. was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

20. Authorize negotiation and execution of a contract for visual collaboration platform software licensing and maintenance services with Insight Public Sector Inc. d/b/a Insight Public Sector, for up to three years for a total contract amount not to exceed \$700,000. [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].

The motion authorizing negotiation and execution of a contract with Insight Public Sector Inc. doing business as Insight Public Sector was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

21. Authorize negotiation and execution of a contract for Imperva software support with Kudelski Security, Inc., for a term of three years 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].

The motion authorizing negotiation and execution of a contract with Kudelski Security, Inc. was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

22. Authorize negotiation and execution of a contract for high-definition camera and recording equipment including installation, maintenance, and support services with Axon Enterprise, Inc., for a term of five years in an amount not to exceed \$900,000. [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].

The motion authorizing negotiation and execution of a contract with Axon Enterprise, Inc. was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

23. Authorize an amendment to a contract for continued Autodesk products and services with DLT Solutions, LLC, to increase the amount by \$400,000 for a revised total contract amount not to exceed \$1,200,000. [Note: This contract was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods and services required for this contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing an amendment to a contract with DLT Solutions, LLC was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

24. Authorize negotiation and execution of a contract for a cloud-based cellular school zone beacon management system with Paradigm Traffic Systems Inc. d/b/a Paradigm Traffic Systems, for a term of five years in an amount not to exceed \$2,000,000. [Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of a contract with Paradigm Traffic Systems Inc. doing business as Paradigm Traffic Systems was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

25. Authorize negotiation and execution of a contract for Microsoft Unified support services with Microsoft Corp., for a term of three years in an amount not to exceed \$5,000,000.

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

The motion authorizing negotiation and execution of a contract with Microsoft Corp. was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

26. Authorize negotiation and execution of a contract for a residential rate advocate with Raftelis Financial Consultants, Inc. d/b/a Raftelis, for a term of two years in an amount not to exceed \$250,000. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established]. October 11, 2023: Recommended by the Water and Wastewater Commission on a 7-0 vote with one absence and three vacancies.

The motion authorizing negotiation and execution of a contract with Raftelis Financial Consultants, Inc. doing business as Raftelis was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

Items 27 and 28 were pulled for discussion.

29. Authorize negotiation and execution of three contracts for minority and small business consulting services with the Asian Contractor Association, Carol Sue Hadnot d/b/a Business Resource Consultants, and the United States Hispanic Contractors Association de Austin d/b/a USHCA de Austin, each for up to five years for total contract amounts not to exceed \$2,250,000, 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). For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of three contracts with the Asian Contractor Association, Carol Sue Hadnot doing business as Business Resource Consultants, and the United States Hispanic Contractors Association de Austin doing business as USHCA de Austin was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

30. Authorize negotiation and execution of a contract for power generating equipment with Genserve LLC d/b/a LJ Power, for up to four years for a total contract amount not to exceed \$20,500,000. [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). For the goods required for this

procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

The motion authorizing negotiation and execution of a contract with Genserve LLC doing business as LJ Power was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

31. Approve a resolution amending Resolution No. 20230720-073 which authorized the sale of property located at 6909 Ryan Drive, Austin, Texas, to the Austin Housing Finance Corporation to revise the sale price from \$3,000,000 to an amount not to exceed \$2,884,903. District(s) Affected: District 7.

Resolution No. 20231019-031 was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

32. Approve a resolution authorizing the execution of professional services agreements with Focused Advocacy LLC; Nora Del Bosque; Cliff Johnson; Brady & Peavey PC; Clayton Pope; and Public Blueprint LLC to provide state agency and legislative representation and with CapitalEdge Strategies LLC to provide federal agency and legislative representation and consulting services, each for a one-year term for a total combined amount not to exceed \$670,000, divided among the firms.

Withdrawn and replaced with addendum Item 78.

33. Approve a settlement in Shivon Beltran v. City of Austin et al, Cause No. 1:22-cv-00015, in the United States District Court for the Western District, Austin, Texas.

The motion approving a settlement in Shivon Beltran v. City of Austin et al, Cause No. 1:22-cv-00015, was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 9-1 vote. Council Member Kelly voted nay. Council Member Harper-Madison was absent.

The settlement amount was \$200,000.

34. Authorize negotiation and execution of an interlocal agreement with Travis County regarding the Spicewood Springs Road Low Water Crossing #1 project.

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

35. Authorize negotiation and execution of an agreement with Project Transitions, Inc. to provide enhancement and support of local HIV-related treatment services, in an amount not to exceed \$260,000 for a five-month term beginning October 1, 2023.

The motion authorizing negotiation and execution of an agreement with Project Transitions, Inc. was approved on consent on Council Member Fuentes' motion,

Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

36. Authorize negotiation and execution of an agreement with Communities for Recovery to provide peer recovery counseling services for community intervention to prevent opioid overdose, for an initial 12-month term beginning September 30, 2023, with one 12-month renewal option, each in an amount not to exceed \$250,000, for a total agreement amount not to exceed \$500,000.

The motion authorizing negotiation and execution of an agreement with Communities for Recovery was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

37. Authorize negotiation and execution of Amendment No. 2 to the agreement with Youth and Family Alliance d/b/a LifeWorks to provide services to unaccompanied homeless youth and homeless young adults 24 years of age and younger, to add four 12-month extension options each in an amount not to exceed \$231,319, beginning September 1, 2023, for a revised total agreement amount not to exceed \$1,174,040.

The motion authorizing negotiation and execution of Amendment No. 2 to the agreement with Youth and Family Alliance doing business as LifeWorks was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

38. 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 \$47,242 in grant funds from the U.S. Health and Human Services Commission through the Texas Department of State Health Services for a Medical Reserve Corps program.

Ordinance No. 20231019-038 was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

39. Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for the Non-Radioactive Hazardous Materials Routing Designations project, for a total estimated cost of \$521,003, with the City's share of the costs estimated to be \$454,112 plus any cost overruns. District(s) Affected: District 1, District 2, District 3, District 5, District 8.

Resolution No. 20231019-039 was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

40. Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for the construction of the 300-ft wide deck structure at Woodland Avenue over IH-35, with the City's share of the costs estimated to be \$14,276,125 plus cost overruns. District(s) Affected: District 9.

Withdrawn.

ITEMS FROM COUNCIL

41. 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.

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

Nominations

Board/Nominee	Nominated by
<u>Commission on Immigrant Affairs</u> Jose Caceres	Council Member Vela
<u>Commission on Immigrant Affairs</u> Virginia Badillo	Council Member Velásquez
<u>Construction Advisory Committee</u> Bianca Medina-Leal	Council Member Velásquez
<u>Hispanic/Latino Quality of Life Resource Advisory Commission</u> Kevin Jackson	Council Member Ryan Alter
<u>Joint Inclusion Committee (Alternate)</u> Lira Ramirez	Mayor's Committee for People with Disabilities
<u>Joint Sustainability Committee (Alternate)</u> Craig Nazor	Zero Waste Advisory Commission
<u>Lesbian Gay Bisexual Transgender and Queer Quality of Life Advisory Commission</u> Yuri Barragán	Council Member Velásquez
<u>Water and Wastewater Commission</u> Sabrina Reichert	Council Member Velásquez

Waivers

Approve a waiver under Section 2-1-27(E) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for the following persons appointed to a City board if the person completes the training required by Section 2-1-23 on or before November 20, 2023:

Gina Houston	Arts Commission
Satyajeet Dodia	Asian American Quality of Life Advisory Commission
Yung-Ju Kim	Board of Adjustment
Logan Schugart	Building and Standards Commission
Gloria Lugo	Commission on Aging
Michael Grant	Electric Board
Noemi Castro	Emma S. Barrientos Mexican American Cultural Center Advisory Board
Alysa Nunez	Ethics Review Commission
Nelson Aguilar	Music Commission
Alison Silverstein	Resource Management Commission
Melissa Ortiz	Urban Transportation Commission

42. 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. Council Sponsors: Council Member Vanessa Fuentes, Council Member Leslie Pool, Council Member Ryan Alter, Council Member José "Chito" Vela.

Resolution No. 20231019-042 was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

ITEM TO SET PUBLIC HEARING

43. Set a public hearing to consider an ordinance amending City Code Title 25 related to parkland dedication requirements and state law House Bill 1526. (Suggested Date: November 9, 2023, at Austin City Hall, 301 W. 2nd Street, Austin, Texas).

The public hearing was set for Thursday, November 9, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

AGENDA ADDENDUM

76. Authorize negotiation and execution of a contract for executive recruitment services for the next Austin City Manager with Mosaic Public Partners, LLC, for a contract amount not to exceed \$150,000. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].
The motion authorizing negotiation and execution of a contract with Mosaic Public Partners, LLC was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.
77. Authorize negotiation and execution of a contract for facility management and labor services for the South Terminal at the Austin-Bergstrom International Airport with ClearedDirect LLC, for the term of November 1, 2023, through December 31, 2025, in an amount not to exceed \$9,009,375.
The motion authorizing negotiation and execution of a contract with ClearedDirect LLC was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.
78. Approve a resolution authorizing the execution of professional services agreements with Focused Advocacy LLC; Nora Del Bosque; Cliff Johnson; Ross Peavey; Clayton Pope; Public Blueprint LLC and Jaclyn Uresti to provide state agency and legislative representation and with CapitalEdge Strategies LLC to provide federal agency and legislative representation and consulting services, each for a one-year term and for a total combined amount not to exceed \$750,000 divided among the firms.
Resolution No. 20231019-078 was approved on consent on Council Member Fuentes' motion, Council Member Ryan Alter's second on a 9-1 vote. Council Member Kelly voted nay. Council Member Harper-Madison was absent.

ITEMS REFERRED FROM COUNCIL COMMITTEES

45. Approve a resolution related to the I-35 Capital Express Central Project and transportation-related greenhouse gas emissions, including requests to the Texas Department of Transportation, the Capital Area Metropolitan Planning Organization, and other State of Texas staff and elected officials. Council Sponsors: Mobility Committee.
Resolution No. 20231019-045 was approved on Mayor Pro Tem Ellis' motion, Council Member Fuentes' second on a 7-3 vote. Those voting aye were: Mayor Pro Tem Ellis, Council Members Alison Alter, Ryan Alter, Fuentes, Qadri, Vela, and Velásquez. Those voting nay were: Mayor Watson, Council Members Kelly and Pool. Council Member Harper-Madison was absent.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

52. Conduct a public hearing and consider an ordinance amending City Code Title 25 related to definitions and regulations applicable to and triggered by daycare, child care, and adult care services.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231019-052 was approved on Council Member Fuentes' motion, Council Member Alison Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

ITEMS REFERRED FROM COUNCIL COMMITTEES CONTINUED

44. Approve an ordinance amending City Code Chapter 4-8 (Regulation of Lobbyists) relating to communication with a City official and reviews by the City Auditor. Council Sponsors: Audit and Finance Committee.

Ordinance No. 20231019-044 was approved on Council Member Alison Alter's motion, Council Member Pool's second on a 9-0 vote. Council Member Fuentes was off the dais. Council Member Harper-Madison was absent.

EMINENT DOMAIN

Items 46 through 51 were acted on by one motion.

46. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Williamson Creek Interceptor project for the public use of replacing a wastewater tunnel to increase capacity for future growth in the Williamson Creek basin, requiring the acquisition of one wastewater easement consisting of approximately 0.019 acre (845 square feet) of land and one temporary working space easement consisting of approximately 0.006 acre (248 square feet) of land, being out of and a portion of Lot 5, Block G, Wagon Crossing Section 3-A Amended, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Book 76, Page 267 of the Plat of Records of Travis County, Texas, having been conveyed to Megan, Frank and Suellen Symons by instrument of record in Document No. 2018142057 in the Official Public Records of Travis County, Texas, currently appraised at \$25,105 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Megan C. Symons, Frank Symons, and Suellen Symons. The property is located at 1912 Conestoga Trail, Austin, Texas 78744. The general route of the project is along Williamson Creek, from South 1st Street to South Pleasant Valley Road. District(s) Affected: District 2.

Resolution No. 20231019-046 was approved on Council Member Pool's motion, Council Member Velásquez's second on a 9-0 vote. Council Member Fuentes was off the dais. Council Member Harper-Madison was absent.

47. 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 consisting of approximately 0.117

acre of land, (5,075 square feet) and one Temporary Working Space Easement consisting of approximately 0.071 acre of land, (3,099 square feet) out of and a part of Lot 1, Media Square Subdivision, a subdivision in the City of Austin, Travis County, Texas according to the map or plat thereof, recorded in Volume 79, Page 167, Plat Records of Travis County, Texas and being out of and a part of the Samuel Cushing Survey Number 70, Abstract 164, situated in Travis County, Texas; said 0.117-acre and 0.071 acre parcels of land being out of and a part of that certain 5.294-acre parcel of land, described as Tract 1, Conveyed to SH 7007-7010 LLC, in that certain Special Warranty Deed Executed September 20, 2022, filed and recorded in Document No. 2022156316, Official Public Records, Travis County, Texas; currently appraised at \$17,096 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is SH 7007-7010 LLC. The property is located at 2222 East Howard Lane, Pflugerville, Texas 78660. The general route of the project is in the Upper Harris Branch from Dessau Road to Harris Branch Parkway. District(s) Affected: District 1.

Resolution No. 20231019-047 was approved on Council Member Pool's motion, Council Member Velásquez's second on a 9-0 vote. Council Member Fuentes was off the dais. Council Member Harper-Madison was absent.

48. 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 consisting of approximately 0.732 acre of land (31,872 square feet), and one Temporary Working Space Easement consisting of approximately 0.319 acre of land (13,873 square feet, consisting of two parts: approximately 2,547 and 11,326 square feet) being out of and a portion of the Samuel Cushing Survey, Abstract No. 164, Section 70, Travis County, Texas, said easement being a portion of a called 2.324 acre tract, conveyed to HOA Investment LLC, recorded in Document No. 2014118134, of the Official Public Records of Travis County, Texas, further described in Document No. 2010100333 of the Official Public Records of Travis County, Texas, currently appraised at \$551,016 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is HOA Investment LLC. The property is located at 13422 Dessau Road, Austin, Texas 78753. The general route of the project is in the Upper Harris Branch from Dessau Road to Harris Branch Parkway. District(s) Affected: District 1.

Resolution No. 20231019-048 was approved on Council Member Pool's motion, Council Member Velásquez's second on a 9-0 vote. Council Member Fuentes was off the dais. Council Member Harper-Madison was absent.

49. 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 consisting of approximately 0.148 acre of land (6,436 square feet), and one Temporary Working Space Easement consisting of approximately 0.073 acre of land (3,189 square feet) being out of and a portion of the Samuel Cushing Survey, Abstract No. 164, Section 70, Travis County, Texas, said

easements being part of Lot 2, Dessau Phase II, recorded in Document No. 201600085, of the Official Public Records of Travis County, Texas, being that same tract conveyed to HOA Investment LLC, recorded in Document No. 2017005857, Official Public Records of Travis County, Texas, currently appraised at \$99,541 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is HOA Investment LLC. The property is located at 13525 Dessau Road, Austin, Texas 78660. The general route of the project is in the Upper Harris Branch from Dessau Road to Harris Branch Parkway.

Resolution No. 20231019-049 was approved on Council Member Pool's motion, Council Member Velásquez's second on a 9-0 vote. Council Member Fuentes was off the dais. Council Member Harper-Madison was absent.

50. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Boggy Creek Lift Station Force Main extension for the public use of installing wastewater infrastructure, requiring the acquisition of one Wastewater Easement consisting of approximately 0.161 acre (7,016 square feet) and one Temporary Working Space Easement consisting of approximately 0.081 acre (3,509 square feet) being out of the J. Burleson Survey, Abstract No. 19, in the City of Austin, Travis County, Texas, being out of a 5.004 acre tract of land described in a Deed conveyed to APAC-Texas, Inc. by instrument of record in Document No. 2016138858, Official Public Records of Travis County, currently appraised at \$71,640 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is APAC-Texas, Inc. The property is located at 00 Ed Bluestein Boulevard, Austin, Texas 78725. The general route of the project is in southeast Austin along United States Highway 183 and immediately north of Austin-Bergstrom International Airport. District(s) Affected: District 3.

Resolution No. 20231019-050 was approved on Council Member Pool's motion, Council Member Velásquez's second on a 9-0 vote. Council Member Fuentes was off the dais. Council Member Harper-Madison was absent.

51. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Boggy Creek Lift Station Force Main Extension for the public use of installing wastewater infrastructure, requiring the acquisition of one Wastewater Easement consisting of approximately 0.475 acre (20,711 square feet) and one Temporary Working Space Easement consisting of approximately 0.820 acre (35,700 square feet) out of the Jesse C. Tannehill Survey No. 29, Abstract No. 22, in the City of Austin, Travis County, Texas, being out of a 71.35 acre tract of land described in a deed conveyed to APAC-Texas, Inc. by instrument of record in Document No. 2009205757, Official Public Records of Travis County, currently appraised at \$258,136 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is APAC-Texas, Inc. The property is located at 827 Ed Bluestein Boulevard, Austin, Texas 78721. The general route of the project is in southeast Austin along United States Hwy 183 and immediately north of Austin-Bergstrom International Airport. District(s) Affected: District 3.

Resolution No. 20231019-051 was approved on Council Member Pool's motion, Council Member Velásquez's second on a 9-0 vote. Council Member Fuentes was off the dais. Council Member Harper-Madison was absent.

DISCUSSION ITEMS

Items 27 and 28 were acted on by one motion.

27. Authorize negotiation and execution of a contract for design and engineering services for the Austin Convention Center Redevelopment project with LMN | Page, a joint venture, in an amount not to exceed \$65,000,000. [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 12.05% MBE and 5.86% WBE participation]. District(s) Affected: District 9.

The motion authorizing negotiation and execution of a contract with LMN | Page, a joint venture, was approved on Council Member Pool's motion, Council Member Qadri's second on a 9-0 vote. Council Member Fuentes was off the dais. Council Member Harper-Madison was absent.

28. Authorize negotiation and execution of a contract for preconstruction and construction services for the Austin Convention Center Redevelopment project with JE Dunn/Turner, a joint venture, in an amount not to exceed \$1,200,000,000. [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 10.30% MBE and 2.38% WBE participation]. District(s) Affected: District 9.

The motion authorizing negotiation and execution of a contract with JE Dunn/Turner, a joint venture, was approved on Council Member Pool's motion, Council Member Qadri's second on a 9-0 vote. Council Member Fuentes was off the dais. Council Member Harper-Madison was absent.

PUBLIC COMMUNICATION: GENERAL

Carlos León - 1) God, Jesus Christ, and the Holy Spirit are large and in charge 2) Chemtrails are anti-God, anti-Human and anti-American 3) Boycott Rudy's BBQ for banning me – **Present.**

Annie Fierro - Stop 35 expansion – **Not present.**

Gretchen Pierce - Stop I-35 expansion – **Not present.**

Bill Whitehead - Road cushions – **Present.**

Ben Ovard - Stop I-35 expansion – **Not present.**

Johnny Ruffier - Stop I-35 expansion – **Not present.**

Brian Morton - Rethink I-35 expansion – **Not present.**

Paul Robbins - City and budget issues. – **Present.**

CAROLANNEROSE KENNEDY - FEDERAL SHENANIGANS – **Not present.**

Laura massengale - N/A – **Present.**

Mayor Pro Tem Ellis recessed the Council meeting at 12:17 p.m. without objection.

LIVE MUSIC

Henry Invisible

Mayor Watson reconvened the Council meeting at 1:01 pm.

PUBLIC HEARINGS AND POSSIBLE ACTIONS CONTINUED

53. Conduct a public hearing and consider an appeal by Milena Boytchef and Peter Simon Eastwood regarding the Planning Commission's decision to approve a three-year site plan extension for Green Pastures, located at 811 W. Live Oak Street (SP-2015-0543C(XT2)).

The public hearing was conducted and a motion to close the public hearing and deny the appeal was approved on Council Member Velásquez's motion, Council Member Vela's second on a 10-0 vote. Council Member Harper-Madison was absent.

54. Conduct a public hearing and consider a resolution related to an application by ECG Blue Ridge LP, or an affiliated entity, for a multi-family development of approximately 321 units 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. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20231019-054 was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

55. Conduct a public hearing and 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.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231019-055 was approved on Council Member Ryan Alter's motion, Mayor Pro Tem Ellis' second on 10-0 vote. Council Member Harper-Madison was absent.

56. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to the North Burnet/Gateway Regulating Plan.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231019-056 was approved on Council Member Pool's motion, Council Member Ryan Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

57. 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).

This item was postponed to November 2, 2023, on a 10-0 vote. Council Member Harper-Madison was absent.

EXECUTIVE SESSION

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

58. Discuss information related to cybersecurity matters, including assessments and deployments of personnel and devices, audits, network security information and information technology resources, and critical infrastructure (Deliberation regarding security devices or security audits Sections 551.076 and 551.089 of the Texas Government Code).

This item was postponed to November 9, 2023, on a 10-0 vote. Council Member Harper-Madison was absent.

Mayor Watson recessed the Council meeting at 1:27 p.m. without objection.

Mayor Watson reconvened the Council Meeting at 2:00 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

The following items were acted on by one motion.

59. C14-2023-0026 - Life Storage #231 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8227 North Lamar Boulevard (Little Walnut Creek Watershed). Applicant Request: To rezone from limited industrial service-neighborhood plan (LI-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Planning Commission

Recommendation: To deny general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning. Applicant: Life Storage, LP (Robert McGregor). Agent: Bleyl Engineering (Jason Rodgers, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 4.

This item was postponed to December 14, 2023, at the request of the Applicant on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

60. C14-2022-0090 - 2239 Cromwell Circle - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2239, 2239 1/2, and 2309 1/2 Cromwell Circle (County Club West Creek Watershed). Applicant Request: To rezone from East Riverside Corridor (ERC) base district (urban residential subdistrict) zoning to East Riverside Corridor (ERC) base district (neighborhood mixed use subdistrict) zoning. Staff Recommendation and Planning Commission Recommendation: To grant East Riverside Corridor (ERC) base district (neighborhood mixed use subdistrict) zoning. Owner/Applicant: 2239 Cromwell Circle, LLC. Agent: Drenner Group, PC (Leah Bojo). City Staff: Nancy Estrada, 512-974-7617, Planning Department. District(s) Affected: District 3.

This item was postponed to November 30, 2023, at the request of the Neighborhood on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

61. C14-2023-0013 - 501 Pedernales - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 501 Pedernales Street and 2503, 2505, 2507, and 2511 East 6th Street (Lady Bird Lake Watershed). Applicant Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-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. 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. Owner/Applicant: Pedernales Property Holdings LLC. Agent: Land Use Solutions, LLC (Michele Haussmann). City Staff: Jonathan Tomko, (512) 974-1057. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231019-061 for general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

62. NPA-2023-0016.01.SH - Lifeworks III at Tillery- Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to

change the land use designation on the future land use map (FLUM) on property locally known as 701 Tillery Street (Boggy Creek Watershed) from Water to Mixed Use land use. Staff and Planning Commission Recommendation: To grant Mixed Use land use. Owner/Applicant: Ben Barlin. Agent: Capital A Housing (Conor Kenny). City Staff: Maureen Meredith, Planning Department, (512) 974-2695. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231019-062 to change the future land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

63. C14-2023-0018.SH - Lifeworks III at Tillery. Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 701 Tillery Street (Boggy Creek Watershed). Applicant Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Owner/Applicant: 3423 Holdings, LLC (Ben Barlin). Agent: Capital A Housing (Conor Kenny). City Staff: Jonathan Tomko, (512) 974-1057. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231019-063 for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

64. C14H-2023-0079 - Griffin House. Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2502 Jarratt Avenue (Shoal Creek Watershed). Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Staff and Historic Landmark Commission Recommendation: To grant family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: Katherine Goering Agent: H-H-M, Inc. (Kristina Kupferschmid). City Staff: Kalan Contreras, Planning Department, 512-974-2727. District(s) Affected: District 10.

This item was postponed to November 9, 2023, at the request of the Applicant on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

65. NPA-2022-0005.01 -Vargas Mixed Use-- 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 400 Vargas Road and 6520 Lynch Lane (Country Club East and Colorado River Watersheds) from Commercial to Mixed Use land use. First Reading approved on September 14, 2023. Vote: 7-0. Council Member Harper-Madison, Council Member A. Alter, Council Member Pool and Mayor Pro Tem Ellis were off the dais. Owner/Applicant: Vargas Properties I LTD & Jayco Holdings I LTD. Agent: Thrower Design (A. Ron Thrower and Victoria Haase). City Staff: Maureen Meredith, Planning Department, (512) 974-2695. District(s) Affected: District 3.

A motion to approve the ordinance on second reading only was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

66. C14-2022-0107 - Vargas Mixed Use - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 400 Vargas Road and 6520 Lynch Lane (Country Club East and Colorado River Watersheds). Applicant's Request: To rezone Tract 1 from community commercial-neighborhood plan (GR-NP) combining district zoning to general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning, and to rezone Tract 2 from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district zoning. First Reading approved on September 14, 2023. Vote: 7-0. Council Member Harper-Madison, Council Member A. Alter, Council Member Pool and Mayor Pro Tem Ellis were off the dais. Owner/Applicant: Vargas Properties I Ltd and Jayco Holdings I Ltd (Jay Chernosky). Agent: Thrower Design, LLC (A. Ron Thrower). City Staff: Nancy Estrada, Planning Department, 512-974-7617. District(s) Affected: District 3.

A motion to approve the ordinance on second reading only was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

67. 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) Affected: District 7.

This item was postponed to November 2, 2023, at the request of Council Member Pool on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

68. 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) Affected: District 7.

This item was postponed to November 2, 2023, at the request of Council Member Pool on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

69. C14-2023-0041 - The Village at Vargas - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2110 and 2110 1/2 Thrasher Lane (Carson Creek Watershed). Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Owner/Applicant: TLH Riverside 6507 GP, LLC, (M. Timothy Clark). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Cynthia Hadri, 512-974-7620. District(s) Affected: District 3.

This item was postponed to November 9, 2023, at the request of the Neighborhood on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

70. C14-2023-0020 - Morelos-Webberville CS-1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2304, 2308, 2312 Morelos Street and 2237 Webberville Road (Lady Bird Lake Watershed). Applicant Request: To rezone from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning. Owner/Applicant: Flying X Investments, LLC Agent: Thrower Design (Ron Thrower). City Staff: Jonathan Tomko, (512) 974-1057. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231019-070 for commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district zoning with the following staff amendment was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

The amendment was to add "Adult oriented businesses" as a prohibited use to Part 2 (B).

71. C14-2023-0061 - 4806 Commercial Park Drive - Conduct a public hearing and approved an ordinance amending City Code Title 25 by rezoning property locally known as 4806, 4806 1/2 and 4908 1/2 Commercial Park Drive (Walnut Creek Watershed). Applicant Request: To rezone from interim-rural residence (I-RR) district zoning to limited industrial service (LI) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited industrial service (LI) district zoning. Owner/Applicant: M2G 4806 Commercial Park, LLC (Amy Castellanos). Agent: Kimley-Horn and Associates, Inc (Jonathan Sosebee). City Staff: Dana Moses, 512-974-8008. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231019-071 for limited industrial service (LI) district zoning was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

72. C14-2023-0083 - Ladera Vista by Stature Homes - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11622 Ladera Vista Drive (Bull Creek Watershed). Applicant Request: To rezone from single family residence-standard lot (SF-2) district zoning to family residence (SF-3) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant family residence (SF-3) district zoning. Owner/Applicant: Stature Liberators, LLC (Derek and Emily Keith). City Staff: Sherri Sirwaitis, 512-974-3057. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 10.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231019-072 for family residence (SF-3) district zoning was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 9-0 vote. Council Member Kelly abstained. Council Member Harper-Madison was absent.

73. 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) Affected: District 7.

This item was postponed to November 2, 2023, at the request of the Applicant on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

74. 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 Dept. (512) 974-2695. District(s) Affected: District 4.

Ordinance No. 20231019-074 to change the future land use designation on the future land use map (FLUM) to Multifamily Residential land use was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

75. 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) combining district zoning 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) Affected: District 4.

Ordinance No. 20231019-075 for multifamily residence low density-neighborhood plan (MF-2-NP) combining district zoning was approved on Mayor Pro Tem Ellis' motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.

Mayor Watson adjourned the meeting at 2:13 p.m. without objection.

The minutes were approved on this the 2nd day of November 2023 on Council Member Fuentes' motion, Council Member Alison Alter's second on a 10-0 vote. Council Member Harper-Madison was absent.

