

**AUSTIN CITY COUNCIL  
MINUTES****REGULAR MEETING  
THURSDAY, NOVEMBER 9, 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, November 9, 2023, at Austin City Hall, 301 W. 2nd Street, Austin, TX.

**PROCLAMATIONS**

Proclamation – Municipal Courts Week – To be presented by Mayor Kirk Watson

Proclamation – Women’s Entrepreneurship Day and Entrepreneurship Month – To be presented by Council Member Alison Alter

**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 October 26, 2023.  
**The motion to approve the minutes of the Austin City Council special called meeting of October 26, 2023, was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**
2. Approve an ordinance amending Ordinance No. 20210930-117 to defer the effective date for onsite water reuse system requirements for large development projects.  
**Ordinance No. 20231109-002 was approved on consent on a 7-1 vote. Council Member Kelly voted nay. Council Members Alison Alter and Pool abstained. Council Member Harper-Madison was absent.**
3. Approve an ordinance waiving the requirement in City Code Section 25-1-502 (Amendment; Review) for Planning Commission review of an amendment to the Land

Development Code extending a variance of the reclaimed water connection requirements for large developments with a multifamily component.

**Ordinance No. 20231109-003 was approved on consent on a 7-1 vote. Council Member Kelly voted nay. Council Members Alison Alter and Pool abstained. Council Member Harper-Madison was absent.**

4. Approve an ordinance amending the Fiscal Year 2023-2024 Financial Services Department Capital Budget (Ordinance No. 20230816-008) to increase appropriations by \$75,545,000 for the acquisition, furnishing, and equipping of condominium units in the 5202 Office Building Condominiums condominium project having a street address of 5202 East Ben White Boulevard, Austin, Texas 78741. Related to items #5 and #15. District(s) Affected: District 3.

**Ordinance No. 20231109-004 was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

5. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of tax-exempt obligations, in the amount of \$75,545,000, for the acquisition of administrative offices for governmental functions of the City. Related to items #4 and #15.

**Resolution No. 20231109-005 was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

6. Approve an ordinance amending the Fiscal Year 2023-2024 Housing Trust Fund Budget (Ordinance No. 20230816-008) to increase requirements by \$5,000,000 for the purchase of the downtown Salvation Army facility. Related to Item #16. District(s) Affected: District 9.

**Ordinance No. 20231109-006 was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

7. Authorize negotiation and execution of a contract for construction services for the Zilker Metro Park Barton Springs Bathhouse Rehabilitation project, with SpawGlass Contractors, Inc. in the amount of \$16,909,817 plus a \$1,690,981 contingency, for a total contract amount not to exceed \$18,600,798. [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 0.21% MBE and 1.99% WBE participation]. Related to Item #21. District(s) Affected: District 8.

**The motion authorizing negotiation and execution of a contract with SpawGlass Contractors, Inc. was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

8. Authorize execution of a contract for the Street Lighting Construction: Slaughter Lane, Howard Lane Corridors project with DeNucci Constructors, LLC., in the amount of \$3,136,057 plus a \$313,606 contingency, for a total contract amount not to exceed \$3,449,663. [Note: This contract will be awarded in compliance with the requirements of

49 CFR Part 26 (Disadvantaged business Enterprise Program) and City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). No goal was established for this solicitation]. District(s) Affected: District 2, District 5, District 7.

**The motion authorizing execution of a contract with DeNucci Constructors, LLC. was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

9. Authorize negotiation and execution of a contract for engineering services for the Sunken Gardens Habitat Enhancement and Historic Wall Repair project with HDR Engineering, Inc., in an amount not to exceed \$850,000. [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 6.71% MBE and 3.60% WBE participation]. District(s) Affected: District 5.

**The motion authorizing negotiation and execution of a contract with HDR Engineering, Inc. was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

10. Authorize execution of a contract for traffic signal heads with General Traffic Equipment Corp., for up to five years, for a total contract amount not to exceed \$800,000. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

**The motion authorizing execution of a contract with General Traffic Equipment Corp. was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

11. Authorize negotiation and execution of a contract for Rightfax managed services with Open Text Corporation d/b/a Open Text Inc., for a term of five years, in an amount not to exceed \$500,000. [Note: Sole source contracts are exempt from the City Code Chapter 2-9B (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 Open Text Corporation doing business as Open Text Inc. was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

12. Authorize execution of a contract for pipe insulation and repair services with Taurus Industrial Group, for up to five years, for a total amount not to exceed \$1,250,000. [Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). For the services required for this solicitation, there were no subcontracting opportunities, therefore, no subcontracting goals were established]. November 8, 2023 - Recommended by the Water and Wastewater Commission on an 8- 0 vote, two absences, and one vacancy.

**The motion authorizing execution of a with Taurus Industrial Group was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

13. Authorize negotiation and execution of two contracts for generator maintenance, repair, and rental with Clifford Power Systems Inc. and Aggreko Holdings Inc., d/b/a Aggreko LLC, each for up to 62 months, for total contract amounts not to exceed \$3,250,000, divided between 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 two contracts with Clifford Power Systems Inc. and Aggreko Holdings Inc., doing business as Aggreko LLC was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

14. Authorize negotiation and execution of a contract for expert project management and technical services for the redevelopment of the Austin Convention Center, with Project Control of Texas, Inc., in an amount not to exceed \$30,000,000. [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 14.21% MBE and 4.70% WBE participation]. District(s) Affected: District 9.

**The motion authorizing negotiation and execution of a contract with Project Control of Texas, Inc was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

15. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire in fee simple Units 1, 3, 4, 5, 6, B1, B2, and B3 in the 5202 Office Building Condominiums, a condominium project in Travis County, Texas, according to the Declaration of Condominium recorded under Document No. 2017088520 of the Official Public Records of Travis County Texas and amendments thereto, and an easement estate for access as created and defined in the Declaration of Easements, Covenants and Restrictions recorded under Document No. 2017050690 of the Official Public Records of Travis County, Texas, said condominium project having a street address of 5202 East Ben White Boulevard, Austin, Texas 78741 from Thor 5202 Ben White, LLC and Thor 5202 Ben White TIC, LLC, as tenants-in-common for a total amount not to exceed \$71,540,917 including closing costs. Related to items #4 and #5. District(s) Affected: District 3.

**The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to acquire in fee simple Units 1, 3, 4, 5, 6, B1, B2, and B3 in the 5202 Office Building Condominiums, a condominium project in Travis County, Texas, according to the Declaration of Condominium recorded under Document No. 2017088520 of the Official Public Records of Travis County Texas and amendments thereto, and an easement estate for access as created and defined in the Declaration of Easements, Covenants and Restrictions recorded under Document No. 2017050690 of the Official Public Records of Travis County, Texas, said**

**condominium project having a street address of 5202 East Ben White Boulevard, Austin, Texas 78741 from Thor 5202 Ben White, LLC and Thor 5202 Ben White TIC, LLC, as tenants-in-common was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

16. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire in fee simple Lots 3, 4, 6, 7, 8 and the south 25 feet of the north 53 feet of Lot 5, Block 88 of the Original City of Austin, Travis County, Texas, according to the plat on file at the General Land Office of the State of Texas, said lots having street addresses of 506 East 7th Street, 514 East 7th Street, 700 Red River Street, 718 Red River Street, and 801 East 8th Street, Austin, Texas 78701, from The Salvation Army, for a total amount not to exceed \$15,067,682 including closing costs. Related Item #6. District(s) Affected: District 9.

**The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to acquire in fee simple Lots 3, 4, 6, 7, 8 and the south 25 feet of the north 53 feet of Lot 5, Block 88 of the Original City of Austin, Travis County, Texas, according to the plat on file at the General Land Office of the State of Texas, said lots having street addresses of 506 East 7th Street, 514 East 7th Street, 700 Red River Street, 718 Red River Street, and 801 East 8th Street, Austin, Texas 78701, from The Salvation Army was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

17. Authorize negotiation and execution of an interlocal agreement with Travis County to integrate the management of hazardous material containment, especially responding to hazardous materials incidents, by sharing personnel, equipment, technology, and data.

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

18. Approve a settlement in Neal et al. v. City of Austin et al., Cause No. D-1-GN-21-006472, in the 455th District Court for Travis County, Texas.

**The motion approving a settlement in Neal et al. v. City of Austin et al., Cause No. D-1-GN-21-006472 was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

**The settlement amount was \$1,500,000 plus closing costs in an amount not to exceed \$50,000 to acquire the plaintiff's tract.**

19. Approve a settlement in Fabrizio Bisetti v. City of Austin, Cause No. 1:19-cv-00616 in the United States District Court Western Division, Travis County, Texas.

**The motion approving a settlement in Fabrizio Bisetti v. City of Austin, Cause No. 1:19-cv-00616 was approved on consent on a 9-0 vote. Council Member Alison Alter abstained. Council Member Harper-Madison was absent.**

**The settlement amount was \$575,000.**



20. Approve a settlement to the claim from Jay-Reese Contractors, Inc. related to the construction contract for the Rainey Street Gas-Insulated Switchgear Substation project. **The motion approving a settlement to the claim from Jay-Reese Contractors, Inc was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

**The settlement amount was \$1,000,000.**

21. Approve an ordinance amending the Fiscal Year 2023-2024 Parks and Recreation Department Capital Budget (Ordinance No. 20230816-008) to increase appropriations by \$384,000 for the Zilker Metro Park Barton Springs Bathhouse Rehabilitation. Related to Item #7.

**Ordinance No. 20231109-021 was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

22. Approve an ordinance amending the Fiscal Year 2023-2024 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20230816-008) to accept and appropriate \$408,981 in grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the City's forensic science violent crime and opioid reduction program.

**Ordinance No. 20231109-022 was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

23. Authorize negotiation and execution of an agreement with Texas Harm Reduction Alliance to provide outreach, harm reduction education, and peer recovery support for a 12-month term beginning September 30, 2023, in an amount not to exceed \$600,000, with one 12-month extension option in an amount not to exceed \$600,000, for a total agreement amount not to exceed \$1,200,000.

**The motion authorizing negotiation and execution of an agreement with Texas Harm Reduction Alliance was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

24. Approve an ordinance amending the Fiscal Year 2023-2024 Transportation and Public Works Department Capital Budget (Ordinance No. 20230816-008) to increase appropriations by \$3,000,000 to support the development and construction of transit-supportive improvements.

**Ordinance No. 20231109-024 was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

25. Authorize negotiation and execution of a community facilities agreement for public storm drain infrastructure improvements with 2323 South Lamar Owner, LLC, in an amount not to exceed \$1,600,000.

**Withdrawn.**

**ITEMS FROM COUNCIL**

26. 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 a 10-0 vote. Council Member Harper-Madison was absent.**

**Nominations****Board/Nominee****Nominated by****2024 Charter Review Commission**

Betsy Greenberg

Council Member Kelly

**Waivers**

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Betsy Greenberg. The waiver allows simultaneous service on the 2024 Charter Review Commission and Zoning and Platting Commission.

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 December 11, 2023:

Anjum Malik	Commission on Immigrant Affairs
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27. Approve a resolution initiating amendments to City Code Title 25 to amend the North Burnet/Gateway Regulating Plan and waiving the requirement for recommendation by the Codes and Ordinances Joint Committee. Council Sponsors: Council Member Leslie Pool, Mayor Pro Tem Paige Ellis, Council Member Mackenzie Kelly, Council Member José "Chito" Vela.

**Resolution No. 20231109-027 was approved on consent on a 9-0 vote. Council Member Harper-Madison was absent. Council Member Alison Alter abstained.**

28. Approve a resolution directing the City Manager to bring to Council an ordinance establishing a 100 percent exemption from the City's ad valorem property tax for eligible child-care facility operators if Proposition 2, a state constitutional amendment, is approved by voters and directing the exploration of a mechanism to provide licensed or registered home-based child-care providers similar property tax relief. Council Sponsors: Council Member Alison Alter, Council Member Ryan Alter, Council Member Vanessa Fuentes, Council Member José Velásquez, Council Member José "Chito" Vela, Council Member Zohaib "Zo" Qadri, Council Member Leslie Pool.

**Resolution No. 20231109-028 was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

29. Approve a resolution initiating amendments to the Climate Equity Plan and to elements of the Imagine Austin Comprehensive Plan, including the Austin Strategic Mobility Plan, regarding telework policies. Council Sponsors: Council Member Vanessa Fuentes, Council Member José Velásquez, Council Member José "Chito" Vela, Council Member Zohaib "Zo" Qadri, Council Member Ryan Alter, Council Member Alison Alter, Mayor Pro Tem Paige Ellis.
- Resolution No. 20231109-029 was approved on consent on a 9-1 vote. Council Member Kelly voted nay. Council Member Harper-Madison was absent.**

#### **ITEMS TO SET PUBLIC HEARINGS**

30. Set a public hearing to consider an ordinance amending City Code Section 25-9-411 (Reclaimed Water Connection Requirements) to extend the variance for reclaimed water connection requirements in large development projects with a multifamily component. (Suggested date: November 30, 2023, at Austin City Hall, 301 W. 2nd Street, Austin, Texas).
- The public hearing was set for Thursday, November 30, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on a 9-1 vote. Council Member Kelly voted nay. Council Member Harper-Madison was absent.**
31. Set a public hearing to consider an ordinance amending City Code Title 25 to allow applicants to request amendments to Station Area Plans at any time. (Suggested date: December 14, 2023, at Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701).
- The public hearing was set for Thursday, December 14, 2023, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

#### **AGENDA ADDENDUM**

52. 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 #53.
- Ordinance No. 20231109-052 was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**
53. 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 #52.



**The motion authorizing negotiation and execution of an amendment to the interlocal agreement with Travis County was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**

54. Approve an ordinance waiving or reimbursing certain fees related to the 2023 UT Diwali event to be held at the University of Texas at Austin on November 9, 2023. Council Sponsors: Mayor Kirk Watson, Council Member Mackenzie Kelly, Council Member José Velásquez, Council Member Zohaib "Zo" Qadri, Mayor Pro Tem Paige Ellis.  
**Ordinance No. 20231109-054 was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**
55. Approve a resolution regarding operations at the Austin-Bergstrom International Airport and urging the Federal Aviation Administration to take immediate action to improve the safety of travelers. Council Sponsors: Council Member Vanessa Fuentes, Council Member Alison Alter, Mayor Pro Tem Paige Ellis, Council Member José Velásquez, Council Member Mackenzie Kelly, Council Member José "Chito" Vela.  
**Resolution No. 20231109-055 was approved on consent on a 10-0 vote. Council Member Harper-Madison was absent.**
56. Approve a resolution initiating amendments to City Code, including Title 25 (Land Development), related to bicycle parking requirements; encouraging timely updates to the Transportation Criteria Manual (TCM) related to bicycle parking requirements; and directing the exploration of incentives for existing developments to install bicycle parking per the updated City Code and TCM requirements. Council Sponsors: Mayor Pro Tem Paige Ellis, Council Member Ryan Alter, Council Member Zohaib "Zo" Qadri, Council Member Vanessa Fuentes, Council Member Leslie Pool.  
**Resolution No. 20231109-056 was approved on consent on a 9-1 vote. Council Member Kelly voted nay. Council Member Harper-Madison was absent.**

### **DISCUSSION ITEMS**

### **AUSTIN HOUSING AND FINANCE CORPORATION MEETING**

**Mayor Watson recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 10:47 a.m. See separate minutes.**

35. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <https://www.austintexas.gov/department/city-council/2023/20231109-ahfc.htm>).

**Mayor Watson reconvened the Council Meeting at 10:49 a.m.**

### **ITEMS REFERRED FROM COUNCIL COMMITTEES**

32. Approve a resolution appointing Estevan Delgado to the Community Development Commission. Council Sponsors: Housing and Planning Committee.  
**Resolution No. 20231109-032 was approved on Council Member Ryan Alter's motion, Council Member Velásquez's second on a 10-0 vote. Council Member Harper-Madison was absent.**
33. Approve the calendar year 2024 Audit Plan. Council Sponsors: Audit and Finance Committee.  
**The motion approving the calendar year 2024 Audit Plan was approved on Council Member Alison Alter's motion, Council Member Pool's second on a 10-0 vote. Council Member Harper-Madison was absent.**

#### **EMINENT DOMAIN**

34. 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 increasing the capacity of a wastewater tunnel to accommodate future growth in the Williamson Creek basin, requiring the acquisition of one access easement consisting of an approximately 0.783 acre tract of land (34,121 square feet) out of and a portion of Lot 1, Block B, DMC Subdivision recorded in Book 100, Page 68 of the Plat Records of Travis County having been conveyed to 500 Stassney LP by instrument of record Document No. 2015128704 in the Official Public Records of Travis County, Texas. Said 0.783 acre (34,121 square feet) tract also being out of Lot 2, Block A, Stassney Venture Subdivision recorded in Book 98, Page 295 of the Plat Records of Travis County, Texas, having been conveyed to 500 Stassney LP by instrument of record in Volume Document 2015128704 in the Official Public Records of Travis County, Texas, currently appraised at \$441,816 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is 500 Stassney LP. The property is located at 500 East Stassney Lane, Austin, Texas 78745. The general route of the project is along Williamson Creek, from South 1st Street to South Pleasant Valley Road, with numerous tie-in cutovers throughout to connect local wastewater flows to the new tunnel. District(s) Affected: District 3.  
**Resolution No. 20231109-034 was approved on Council Member Pool's motion, Council Member Vela's second on a 10-0 vote. Council Member Harper-Madison was absent.**

#### **PUBLIC HEARINGS AND POSSIBLE ACTIONS**

36. Conduct a public hearing and consider an ordinance amending City Code Title 25 by repealing and replacing Chapter 25-1, Article 14 (Parkland Dedication) to align the City's parkland dedication requirements with House Bill 1526; and waiving Code provisions related to processing amendments to City Code Title 25 (Land Development).  
**This item was postponed to November 30, 2023, on a 10-0 vote. Council Member Harper-Madison was absent.**

- The public hearing was conducted and a motion to close the public hearing and approve the ordinance was made by Council Member Vela and seconded by Council Member Pool.**

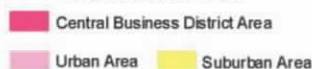
**EXHIBIT A**

**Suburban:** consistent with full and limited purpose areas outside of Urban and CBD.

**Urban**

**CBD:** identified as the Downtown Austin Plan area (2011), part of the Austin Comprehensive Plan.

**Boundaries for Establishing Fees  
in Accordance with Texas Local Government Code  
Section 212.209**

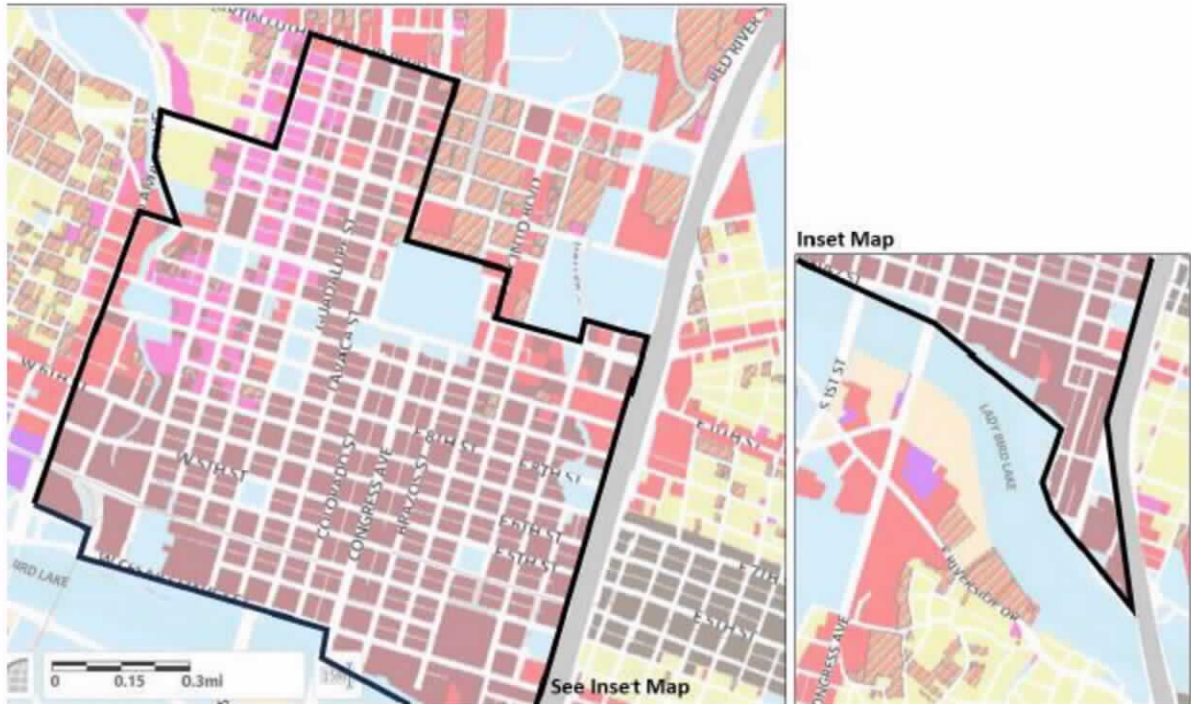


This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the Parks and Recreation Department for the sole purpose of geographic reference. Its accuracy is made by GeoByte/Asiatic on-going specific accuracy or completeness.

November 8, 2023

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An amendment to the amendment above to revise Exhibit “A” to designate the Central Business District Area as the boundary, identified in the map below, that encompasses areas predominately zoned Central Business District (CBD) and Downtown Mixed Use (DMU) was made by Council Member Qadri, seconded by Council Member Ryan Alter, and included on a 10-0 vote. Council Member Harper-Madison was absent.



Council Member Vela’s amendment as amended was included on a 10-0 vote. Council Member Harper-Madison was absent.

Ordinance No. 20231109-059 was approved as amended on Council Member Vela’s motion, Council Member Pool’s second on a 10-0 vote. Council Member Harper-Madison was absent.

Mayor Watson recessed the Council Meeting at 10:58 a.m. without objection.

Mayor Pro Tem Ellis reconvened the Council Meeting at 12:02 p.m.

#### **PUBLIC COMMUNICATION: GENERAL**

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

Gary Cross - Texas History – **Present.**



Pat Valls-Trelles - Animal Services – **Present.**

John McGrady - Homelessness. Crime. Public safety. – **Not present.**

Anthony Velásquez - Acl traffic and SXSW – **Not present.**

Alice Austin - Zilker Park Vision Plan – **Not present.**

Kelsey Bose - I-35 Expansion – **Not present.**

Itra El – Homelessness – **Not present.**

Katya Ehresman - i-35 expansion – **Not present.**

Jonathan Louis – Homelessness – **Not present.**

**Mayor Watson recessed the Council Meeting at 12:15 p.m. without objection.**

### **LIVE MUSIC**

Kathy Murray & The Kilowatts

**Mayor Watson reconvened the Council Meeting at 1:00 p.m.**

**Mayor Watson recessed the meeting to go into Executive Session at 1:01 p.m. without objection.**

### **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.**

37. 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).  
**Withdrawn.**

38. Discuss legal matters related to the conveyance, exchange, or value of approximately nine acres of parkland located at 2525 S. Lakeshore Blvd, also known as Central



Maintenance Complex (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).

**Withdrawn.**

39. Discuss real estate matters related to the conveyance, exchange, or value of approximately nine acres of parkland located at 2525 S. Lakeshore Blvd, also known as Central Maintenance Complex (Real property -Section 551.072 of the Texas Government Code).

**Withdrawn.**

57. 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).

**Conducted.**

58. 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).

**Withdrawn.**

**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.**

40. C814-06-0175.05 - East Avenue PUD Amendment, Parcel A 2nd Amendment - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3500, 3500 1/2, 3502, 3506, and 3700 North Interstate Highway 35 Service Road Southbound and 1012, 1012 1/2, 1018, and 1018 1/2 Concordia Avenue (Boggy Creek Watershed). Applicant's Request: To rezone from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. Staff Recommendation and Planning Commission Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning. Owner/Applicant: 1010 Concordia LP (Leah M. Bojo). Agent: Drenner Group, (Leah Bojo). City Staff: Dana Moses, Planning Department, 512-974-8008. District(s) Affected: District 9.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231109-040 for planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change a condition of zoning, with the following staff amendment was approved on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was absent.**

**The amendment was to add “or that portion dedicated as right-of-way.” to the end of the paragraph in Part 5.**

41. NPA-2023-0030.02 - 714 Turtle Creek Multifamily - Conduct a public hearing and approve an ordinance amending Ordinance No. 20141106-085, the South Austin Combined Neighborhood Plan (Garrison Park), 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 714 Turtle Creek Boulevard (Williamson Creek Watershed) from Neighborhood Transition to Mixed Use Activity Hub/Corridor land use. Staff Recommendation and Planning Commission recommendation: To grant the applicant’s request for Mixed Use Activity Hub/Corridor land use. Owner/Applicant: 714 Turtle Creek LP (Anthony Clarke). Agent: DuBois, Bryant & Campbell, L.L.P. (David Hartman). City Staff: Maureen Meredith, Planning Department (512) 974-2695. District(s) Affected: District 2.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231109-041 to change the future land use designation on the future land use map (FLUM) to Mixed Use Activity Hub/Corridor land use was approved on Council Member Fuentes’ motion, Council Member Qadri’s second on a 10-0 vote. Council Member Harper-Madison was absent.**

42. C14-2023-0042 - 714 Turtle Creek Multifamily - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 714 Turtle Creek Boulevard (Williamson Creek Watershed). Applicant’s Request: To rezone from multifamily residence low density-neighborhood plan (MF-2-NP) combining district zoning to community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning. Owner/Applicant: 714 Turtle Creek LP (Anthony Clarke). Agent: DuBois, Bryant & Campbell, L.L.P. (David Hartman). City Staff: Dana Moses, Planning Department, 512-974-8008. District(s) Affected: District 2.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231109-042 for community commercial-mixed use-vertical mixed use building-neighborhood plan (GR-MU-V-NP) combining district zoning was approved on Council Member Fuentes’ motion, Council Member Qadri’s second on a 10-0 vote. Council Member Harper-Madison was absent.**

43. C14-2023-0037 - South Congress Multifamily - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8400, 8402, 8406, 8408, and 8412 South Congress Avenue and 108 Ralph Ablanado Drive (South Boggy Creek Watershed). Applicant Request: To rezone from limited industrial service-conditional overlay (LI-CO) combining district zoning to general commercial services-vertical mixed use building (CS-V) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services-vertical mixed use building-conditional overlay (CS-V-CO)

combining district zoning. Owner/Applicant: Soco Ventures, LLC (Atilla Tuna). Agent: DPR Construction (Stephen Rye). City Staff: Nancy Estrada, Planning Department, 512-974-7617. District(s) Affected: District 2.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231109-043 for general commercial services-vertical mixed use building-conditional overlay (CS-V-CO) combining district zoning was approved on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was absent.**

44. C14-2023-0032 - 1512 Damon Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1512 Damon Road (Williamson Creek Watershed). Applicant Request: To rezone from family residence (SF-3) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Owner/Applicant: Albert Road Horizontal Investors, LP (Matt McDonnell). Agent: Armbrust & Brown (Michael Whellan). City Staff: Nancy Estrada, Planning Department, 512-974-7617. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 5.

**This item was postponed to November 30, 2023, at the request of the Neighborhood on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was absent.**

45. C14-2022-0100 - 7606 Albert Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 7606 Albert Road (Williamson Creek Watershed). Applicant Request: To rezone from development reserve (DR) district zoning to townhouse and condominium residence (SF-6) district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant townhouse and condominium residence (SF-6) district zoning. Owner/Applicant: Albert Road Horizontal Investors, LP (Matt McDonnell). Agent: Armbrust & Brown (Michael Whellan). City Staff: Nancy Estrada, Planning Department, 512-974-7617. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 5.

**This item was postponed to November 30, 2023, at the request of the Neighborhood on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was absent.**

46. C14-2023-0098 - 2901 Del Curto Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2901 Del Curto Road (West Boulding Creek Watershed). Applicant's Request: To rezone from family residence (SF-3) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant townhouse and condominium

residence (SF-6-CO) combining district zoning. Owner/Applicant: Parkland Homes. Agent: HD Brown Consulting, LLC (Amanda Brown). City Staff: Cynthia Hadri, Planning Department, 512-974-7620. District(s) Affected: District 5.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231109-046 for townhouse and condominium residence (SF-6-CO) combining district zoning was approved on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was absent.**

47. C14-2023-0081 - 406 & 428 E. Alpine Rd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 406 and 428 East Alpine Road (Blunn Creek Watershed). Applicant's Request: To rezone from general office-mixed use-neighborhood plan (GO-MU-NP) combining district zoning to general office-mixed use-vertical mixed use building-neighborhood plan (GO-MU-V-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general office-mixed use-vertical mixed use building-neighborhood plan (GO-MU-V-NP) combining district zoning. Owner/Applicant: Austin Memorial Homes. Agent: HD Brown Consulting, LLC (Amanda Brown). City Staff: Cynthia Hadri, Planning Department, 512-974-7620. District(s) Affected: District 3.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231109-047 for general office-mixed use-vertical mixed use building-neighborhood plan (GO-MU-V-NP) combining district zoning was approved on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was absent.**

48. C814-00-2063.10 - Wildhorse Ranch Planned Unit Development Amendment #10 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9936 1/2 Lindell Lane (Decker Creek and Gilleland Watershed). Applicant Request: To rezone from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change conditions of zoning. The ordinance may include exemption from or waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning, to change conditions of zoning. Owner/Applicant: Forestar USA Real Estate Group Inc. Agent: McLean and Howard LLP (Jeffrey Howard). City Staff: Jonathan Tomko, 512-974-1057. District(s) Affected: District 1.

**This item was postponed to December 14, 2023, at the request of Staff on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was absent.**

49. 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.

**The public hearing was conducted and a motion to close the public hearing and approve the staff recommended ordinance on first reading only was approved on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was absent.**

50. 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.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231109-050 for townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning was approved on Council Member Fuentes' motion, Council Member Qadri's second on a 9-1 vote. Council Member Velásquez voted nay. Council Member Harper-Madison was absent.**

51. C14-2023-0058 - 11540, 11600, and 11602 Menchaca Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11540, 11600, and 11602 Menchaca Road (Slaughter Creek Watershed). Applicant's Request: To rezone from interim-rural residence (I-RR) district zoning to multifamily residence high density (MF-5) district zoning. Staff Recommendation and Planning Commission Recommendation: To grant multifamily residence moderate-high density (MF-4) district zoning. Owner/Applicant: DTTW Investments, LP (Matt Sitra), Agent: Drenner Group PC, (David Anderson). City Staff: Dana Moses, Planning Department, 512-974-8008. District(s) Affected: District 5.

**The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only was approved on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was absent.**

60. 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.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231109-060 to change the future land use designation on the future land use map (FLUM) to Multifamily Residential and Higher Density Single Family land use was approved on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was absent.**

61. 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.

**The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20231109-061 for 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 was approved on Council Member Fuentes' motion, Council Member Qadri's second on a 10-0 vote. Council Member Harper-Madison was absent.**

**Mayor Watson adjourned the meeting at 2:08 p.m. without objection.**

**The minutes were approved on this the 30<sup>th</sup> day of November 2023 on consent on a 10-0 vote. Council Member Ryan Alter was absent.**