



City of Austin

Austin City Hall, 301 W.
Second Street, Austin, TX and
some members may be
participating via
videoconference.

Agenda

City Council Work Session

Mayor Kirk Watson

Mayor Pro Tem Leslie Pool

Council Member Natasha Harper-Madison

Council Member Vanessa Fuentes

Council Member José Velásquez

Council Member José "Chito" Vela

Council Member Ryan Alter

Council Member Mackenzie Kelly

Council Member Paige Ellis

Council Member Zohaib "Zo" Qadri

Council Member Alison Alter

Tuesday, February 27, 2024

9:00 AM

Austin City Hall

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

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

A. Pre-Selected Agenda Items

B. Briefings

- B1.** Austin Water forward update: Reuse Plan
- B2.** Fiscal Year 2023 closeout and sales tax revenue update.
- B3.** Briefing on redevelopment of 1215 Red River Street and 606 East 12th Street, the former Health South tract.

C. Council Items of Interest

D. Council Discussion

E. Executive Session

- E1.** Evaluate the performance of, and consider compensation and benefits for, the City Clerk (Personnel matters - Section 551.074 of the Government Code).
- E2.** Evaluate the performance of, and consider compensation and benefits for, the City Auditor (Personnel matters - Section 551.074 of the Government Code).

- E3.** Evaluate the performance of, and consider compensation and benefits for, the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).
- E4.** Discuss legal issues related to The State of Texas v. City of Austin, et al., Cause No. D-1-GN-24-000586 in the 419th Judicial District of Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).
- E5.** Discuss legal issues related to Sam Kirsch v. City of Austin et al, Cause No. 1:20-cv-01113-RP in the United States District Court for the Western District of Texas, Austin Division; Modesto Rodriguez v. City of Austin et al, Cause No. 1:21-cv-01087-RP in the United States District Court for the Western District of Texas, Austin Division; Alyssa Sanders v. City of Austin et al, Cause No. 1:22-cv-314-RP in the United States District Court for the Western District of Texas, Austin Division; Tyree Talley v. City of Austin et al, Cause No. 1:21-cv-00249 in the United States District Court for the Western District of Texas, Austin Division; and Ge'micah Volter-Jones v. City of Austin et al, Cause No. 1:22-cv-00511 in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).

Adjourn

Consent Agenda

Approval of Minutes

1. Approve the minutes of the Austin City Council work session of February 13, 2024, and regular meeting of February 15, 2024.

Austin Energy

2. Approve issuance of a capacity-based incentive to KMFA Radio Station, for the installation of solar electric systems on its facilities located at 41 Navasota Street, Austin, Texas, in an amount not to exceed \$80,676.
3. Approve issuance of a capacity-based incentive to Kensington Apartments, LLC, for the installation of solar electric systems on its facility located at 3300 Manor Road, Austin, Texas, in an amount not to exceed \$184,802.
4. Approve issuance of an incentive to the Texas Solar Energy Society for its Pathways Pilot Program to demonstrate how Low-Income Home Energy Assistance Program funding can be applied to solar installations in Austin Energy service territory, in an amount not to exceed \$90,000.
5. Approve issuance of a 5-year performance-based incentive to Starwood Capital Group LLC, for the installation of solar electric systems on eight of its facilities in the Austin Energy service territory, in an amount not to exceed \$2,142,861.70.
6. Authorize expenditures for annual renewals of professional dues and memberships in national and state associations and organizations related to the electric utility industry, in an amount not to exceed \$425,000.

Austin Resource Recovery

7. Approve an ordinance amending the Fiscal Year 2023-2024 Austin Resource Recovery Operating Budget Special Revenue Fund (Ordinance No. 20230816-008) to accept and appropriate \$4,000,000 in grant funds from the United States Environmental Protection Agency for a reuse warehouse project and amending the Fiscal Year 2023-2024 Austin Resource Recovery Capital Budget (Ordinance No. 20230816-008) to transfer in and appropriate \$4,000,000.

City Clerk

8. Approve an ordinance amending City Code Chapter 2-2 related to campaign finance regulations.

Communications and Technology Management

9. Authorize negotiation and execution of an amendment to the interlocal agreement with Burnet County for radio communications to provide the Burnet County Sheriff's Department an archiving interface and radio control station equipment for use in its emergency dispatch center.

10. Authorize negotiation and execution of interlocal agreements with various governmental agencies to lend public safety equipment for an initial term of up to five years, with two subsequent optional renewals of five years each, to support agencies that cooperate with the City's public safety departments in the provision of law enforcement, fire, and emergency medical services equipment, to include electronic, vehicular, portable, and fixed communications equipment in times of emergency or for purposes of mutual aid and interoperability.
11. Authorize negotiation and execution of an interlocal agreement with the Capital Area Emergency Communications District to reimburse the City for expenses related to the property lease and operational costs for the 9-1-1 back-up center.
12. Authorize negotiation and execution of an interlocal agreement with the Capital Area Emergency Communications District to reimburse the City for costs to provide maintenance and other services supporting the 9-1-1 back-up center radio consoles.
13. Authorize negotiation and execution of an interlocal agreement with the City of Lago Vista allowing the City of Austin to perform communication equipment installation, maintenance, and repair and consultations for Lago Vista on a reimbursement basis for the cost associated with labor, services, and parts.
14. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Public Safety to participate in the Texas Interoperable Radio Interconnect System, a grant-funded statewide interconnect system, to promote radio communications interoperability by tying together multiple jurisdictions using compatible hardware and cloud-based software.
15. Authorize negotiation and execution of interlocal agreements with various governmental entities and political subdivisions for radio communications subscription services to reimburse the City for labor, services, and software related to use of the Greater Austin-Travis County Regional Radio System.

Economic Development Department

16. Approve a resolution replacing Cathy McHorse with Aaron DeLaO as the United Way of Greater Austin nominee, replacing Rosie Truelove with Mandy DeMayo as the City of Austin Housing Department nominee and replacing Ed Van Eenoo with Marija Jukic as the City of Austin Financial Services Department nominee to the Board of the Austin Economic Development Corporation.
17. Authorize negotiation and execution of an amendment to the interlocal cooperation agreement with the Austin Economic Development Corporation to provide services to the Austin Convention Center Department for the development project at the Austin Convention Center site for an amount not to exceed \$250,000.

Financial Services

18. Approve a resolution declaring the City of Austin's official intent to reimburse itself from proceeds of tax-exempt general obligations in the total amount of \$750,000. Related to items #22 and #43.

Financial Services- Contracts

19. Authorize negotiation and execution of a professional services contract for building renovation and remodeling architectural design services for the Waller Creek Restack project with Robert Jackson and Michael McElhaney Architects, Inc., in an amount not to exceed \$3,000,000.

[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 17.74% MBE and 32.59% WBE participation].

District(s): District 9

20. Authorize execution of a contract for construction services for the 38th and 40th Streets Water and Wastewater Pipeline Renewal project with Cedar Hills Construction LLC, in the amount of \$4,760,554, plus a \$476,055 contingency, for a total contract amount not to exceed \$5,236,609.

[This contract will be awarded in compliance with City Code Chapter 2-9A (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 7.64% MBE and 0.89% WBE participation.

District(s): District 9

21. Authorize execution of a contract for construction services for the Brazos Street Duct Bank Civil Work project with Facilities Rehabilitation, Inc., in the amount of \$1,967,535, plus a \$196,754 contingency, for a total contract amount not to exceed \$2,164,289.

[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 97.94% MBE and 2.06% WBE participation].

District(s): District 9

22. Authorize an amendment to the design-build contract for design and construction services for the Fire and EMS Stations Rebuild and Renovations project with Flintco LLC, to increase the contract amount by \$750,000 for a revised total contract amount not to exceed \$27,450,000.

[Note: This amendment will be awarded in compliance with City Code 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 18.95% MBE and 1.71% WBE. Related to Items #18 and #43.

District(s): District 9; District 3

23. Authorize negotiation and execution of a professional services contract for engineering services for the Handcox Water Treatment Plant Resiliency Improvements project with Carollo Engineers, Inc., in an amount not to exceed \$8,912,000.

[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 9.50% MBE and 15.00% WBE participation].

District(s): District 10

24. Authorize execution of a contract for construction services for the St. Elmo Service Center New Austin Energy Pole Yard project with Alpha Paving Industries LLC, in the amount of \$312,470, plus a \$31,247 contingency, for a total contract amount not to exceed \$343,717.

[Note: This contract will be awarded in accordance with City Code Chapter 2-9A (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 27.06%MBE/WBE combined participation].

District(s): District 7

25. Authorize an amendment to a contract for construction services for the Zilker Metro Park - Maintenance Barn Replacement project with replacement contractor A&J Construction Management LLC, to increase the amount by \$1,384,804 for a total contract amount not to exceed \$3,531,868.

[Note: This contract was awarded in compliance with City Code 2-9A (Minority-Owned and Women-Owned Business Enterprise Procurement Program). Current participation to date is 96.26% MBE and 3.74% WBE].

District(s): District 8

26. Authorize negotiation and execution of a contract for rental of industrial equipment with United Rentals (North America), Inc., for up to five years for a total contract amount not to exceed \$4,500,000.

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

27. Authorize negotiation and execution of a contract for Splunk cyber security software products and services with GTS Technology Solutions, Inc., for a term of three years in an amount not to exceed \$1,200,000.

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

28. Authorize negotiation and execution of a contract for StreetMan streetlight management-related hardware and services with Dhyhan Networks and Technologies, Inc. d/b/a Dhyhan Networks and Technologies, for up to 41 months for a total contract amount not to exceed \$2,280,000.

[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].

29. Authorize negotiation and execution of a contract for radio frequency engineering support with Booz

Allen Hamilton, Inc., for a term of five years in an amount not to exceed \$1,625,000.

[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].

- 30.** Authorize negotiation and execution of a contract for electrolytic cells and parts with Psi Water Technologies, Inc., for a term of three years for a total contract amount not to exceed \$303,106.

[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].

- 31.** Authorize execution of a contract for screened chocolate loam and sandy loam (topsoil) with Schuler Contracting LLC, for a term of five years in an amount not to exceed \$1,500,000.

[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].

- 32.** Authorize execution of three contracts for brush and bulk collection and compost hauling services with Aftermath Disaster Recovery, Inc., DRC Emergency Services, Inc., and Irep LLC, each for a term of five years in amounts not to exceed \$15,000,000, divided among the contractors.

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

- 33.** Authorize negotiation and execution of an amendment to a contract for continued parts and repair services for International trucks with Longhorn International Trucks Ltd., to increase the amount by \$900,000 for a revised total contract amount not to exceed \$6,791,509.

[Note: This contract 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 and services required for this contract, there were no subcontracting opportunities; therefore, no subcontracting goals were established].

- 34.** Authorize execution of a contract for advanced transportation controller traffic signal cabinets designed for installation on traffic signal poles with Consolidated Traffic Controls, Inc., for up to five years in an 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 certified M/WBEs; therefore, no

subcontracting goals were established].

- 35.** Authorize negotiation and execution of amendments to two contracts for continued security system parts and labor with Preferred Technologies LLC d/b/a Preferred Technologies and Knight Security Systems LLC, to increase the amounts by \$7,370,000 for revised total contract amounts not to exceed \$7,620,000, divided between the contractors.

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

- 36.** Authorize negotiation and execution of a contract for ArcGIS Enterprise software licensing with Insight Public Sector, Inc. d/b/a Insight Public Sector, for up to five years for a total contract amount not to exceed \$1,050,000.

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

- 37.** Authorize negotiation and execution of a contract for library digital content and services with OverDrive, Inc., for a term of five years in an amount not to exceed \$22,000,000.

[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].

- 38.** Authorize negotiation and execution of an amendment to a contract for continued forensic analysis of biological evidence with Southwest Research Institute d/b/a Signature Science LLC, to increase the amount by \$4,000,000 and to extend the term by up to five years for a revised total contract amount not to exceed \$10,469,955.

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

- 39.** Authorize negotiation and execution of a contract for golf course equipment replacement parts with Coufal-Prater Equipment LLC d/b/a United Ag & Turf, for up to five years for a total contract amount not to exceed \$625,000.

[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].

- 40.** Authorize negotiation and execution of a contract for an SAS Office Analytics business intelligence cloud platform with Executive Information Systems LLC, for up to five years for a total contract

amount not to exceed \$300,000.

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

41. Authorize negotiation and execution of a contract for the creation of a strategic plan to protect Austin's creeks and communities with Jodon Maclem Corporation, for up to three years for a total contract amount not to exceed \$400,000.

[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) and subcontractor goals were applied to the solicitation. The subcontracting goals were met, and the resulting contract will include 25% MBE/WBE combined participation].

42. Authorize execution of a contract for ION meters with Dealers Electrical Supply d/b/a Dealers Electrical Supply Co., for up to five years for a total contract amount not to exceed \$2,500,000.

[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].

Fire

43. Approve an ordinance amending the Fiscal Year 2023-2024 Austin Fire Department Capital Budget (Ordinance No. 20230816-008) to increase appropriations by \$750,000 for rebuilding and renovating fire and emergency medical services stations. Related to Items #18 and #22.

Homeland Security & Emergency Management

44. Approve an ordinance accepting Federal Emergency Management Agency Public Assistance grant funds from the Texas Department of Emergency Management and amending the Fiscal Year 2023-2024 Operating Budget Special Revenue Fund (Ordinance No. 20230816-008) to appropriate funding in the amount of \$2,127,895 for COVID-19 and Winter Storm Uri expenses.

Library

45. Approve an ordinance amending Exhibit A to the Fiscal Year 2023-2024 City Fee and Fine Ordinance (Ordinance No. 20230816-007) to remove the non-resident library card fee for residents of the City's limited purpose and extraterritorial jurisdictions.

Parks and Recreation

46. Approve an ordinance amending City Code Title 8 (Parks and Recreation) to regulate activities that occur on parkland; correcting the name of certain parkland; and creating offenses and penalties.

Police

- 47. Approve a resolution approving the appointment of members of the police reserve force.
- 48. 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 \$58,239 in additional grant funds from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for the City and Travis County Fiscal Year 2023 Edward Byrne Memorial Justice Assistance Grant Project.

Public Health

- 49. Authorize negotiation and execution of Amendment No. 7 to the agreement with American Gateways to stabilize the immigration status of detained and non-detained immigrants residing in Austin/Travis County, to add one six-month extension option in an amount not to exceed \$210,000, for a revised total agreement amount not to exceed \$2,046,505.
- 50. Authorize negotiation and execution of Amendment No. 10 to the agreement with the University of Texas at Austin to improve birth outcomes and maternal/infant health among vulnerable communities of color in Austin, to add one six-month extension option ending on September 30, 2024, in an amount not to exceed \$204,472, for a revised total agreement amount not to exceed \$3,447,106.
- 51. 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 \$4,967,319 in grant funds from the Texas Division of Emergency Management for COVID-19 lab diagnostics.
- 52. 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 \$25,000 in grant funds from Home Grown for the Building Comprehensive Networks for Home-Based Childcare grant.
- 53. 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 \$31,500 in additional grant funds from the National Environmental Health Association and U.S. Food and Drug Administration for the Retail Flexible Funding Model Grant Program.
- 54. Authorize negotiation and execution of Amendment No. 2 to the agreement with Central Texas Community Health Centers, Inc. d/b/a Community Care to provide HIV-related services, to add one-time funding to the 12-month term beginning January 1, 2024, in an amount not to exceed \$119,546, for a revised total agreement amount not to exceed \$597,725.

Transportation and Public Works

- 55. Approve an ordinance amending City Code Section 12-4-64 (Table of Speed Limits) to remove a defunct school zone on Toomey Road.

District(s): District 9

Item(s) from Council

56. 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.

57. Approve the waiver or reimbursement of certain fees related to the HONK!TX Community Street Band Festival to be held at the Pan Am Recreation Center on April 7, 2024.

Sponsors: Council Member Zohaib "Zo" Qadri, Council Member Ryan Alter, Council Member José Velásquez, Council Member Vanessa Fuentes, and Council Member Paige Ellis

58. Approve a resolution directing the City Manager to implement sustainable procurement practices in City operations and establish a pilot program for concrete construction and greenspace maintenance services and equipment, and to provide recommendations for further program expansion.

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

59. Approve a resolution to establish Austin as a recognized soccer city and directing the City Manager to analyze challenges and needs in soccer field development and soccer programming and to provide recommendations.

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

60. Approve a resolution directing the City Manager to return to Council with an Economic and Cultural District Framework, identifying funding and support for Red River Cultural District, and providing an update regarding policy topics that support new and existing cultural and heritage districts.

Sponsors: Council Member Zohaib "Zo" Qadri, Mayor Kirk Watson, Mayor Pro Tem Leslie Pool, Council Member Vanessa Fuentes, and Council Member Ryan Alter

61. Approve a resolution initiating amendments to City Code Title 25 (Land Development) to amend the Lamar Boulevard/Justin Lane Transit Oriented District (also known as the Crestview area).

Sponsors: Council Member José "Chito" Vela, Mayor Pro Tem Leslie Pool, Council Member José Velásquez, and Council Member Zohaib "Zo" Qadri

Item(s) to Set Public Hearing(s)

62. Set a public hearing to consider renaming "Kellam Road" to "Circuit of the Americas Boulevard" under City Code Chapter 14-5 (Street Name Change) (Suggested date: March 21, 2024, Austin City Hall, Council Chambers, 301 W. 2nd Street, Austin, Texas)

District(s): District 2

63. Set a public hearing to consider an ordinance amending the Imagine Austin Comprehensive Plan to include the Equitable Transit-Oriented Development (ETOD) Typologies. (Suggested date: May 30, 2024, Austin City Hall, 301 W. 2nd Street, Austin, Texas).

64. Set a public hearing to consider an ordinance adopting Local Standards of Care for the Parks and Recreation Department's youth programs. (Suggested date and location: April 4, 2024, at Austin City Hall, 301 W. 2nd Street, Austin, Texas).
65. Set a public hearing to consider a resolution authorizing and directing the Director of the Parks and Recreation Department to act on the City's behalf to work with the National Parks Service and the Texas Parks and Wildlife Department in connection with the Outdoor Recreation Legacy Partnership (ORLP) program and to apply for an ORLP grant for up to \$4,000,000, to be matched by the City, to partially fund the cost of the John Treviño Jr. Metro Park Vision Plan Phase One Implementation project. (Suggested date and location: March 7, 2024, at Austin City Hall, 301 W. 2nd Street, Austin, Texas).

Non-Consent

Item(s) Referred from Council Committee(s)

66. Approve the Public Safety Committee recommendation to direct the City Manager to initiate a selection process to identify candidates for Council appointment of one additional associate judge and up to five additional substitute judges to the Municipal Court for the current judicial term, subject to funding considerations after discussions with the City Manager, and to utilize a recruitment and selection process based on the 2021 judicial selection process including using the citizen panel members from 2021 if available.

Sponsors: Public Safety Committee

Eminent Domain

67. 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 exclusive wastewater line easement for subterranean tunnel consisting of a 0.13 acre (5,673 square feet) tract of land, one wastewater easement consisting of a 0.10 acre (4,200 square feet) tract of land, one access easement consisting of a 0.02 acre (988 square feet) tract of land, one temporary working space easement consisting of a 0.0844 acre (3,676 square feet) tract of land, 496 square feet, 242 square feet, 612 square feet, and 55 square feet out of the Santiago Del Valle Grant, Abstract No. 24, situated in the City of Austin, Travis County, Texas, and being a portion of Lot 3 of Williamson Centre Subdivision, a subdivision of record in Volume 87, Page 12A of the Plat Records of Travis County, Texas, said Lot 3 identified as one of the tracts listed as Tract 2, being a portion of those tracts described in a general warranty deed granted to Stassney Crossing, LLC, found recorded as Document No. 2016057417 of the Official Public Records of Travis County, Texas, currently appraised at \$147,310, subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Stassney Crossing, LLC. The property is located at 1807 East Stassney Lane, Austin, Texas 78744. The general route of the project is along Williamson Creek, from South 1st Street to South Pleasant Valley Road.

District(s): District 2

68. Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire

the property interests needed for the Travis Country Fire Station Project for the public use of improving Austin Fire Department and Emergency Medical Services response times, requiring the acquisition of a 0.214 acres (9,323 square feet) access easement, being out of and a portion of Lot 2, Block A, Oak Hill Technology Park Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Document No. 200000208, Official Public Records of Travis County, Texas, currently appraised at \$10,894 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is AAW Oak Hill, Ltd. The property is located at 5408 West US Highway 290, Austin, Texas 78735. The project route is limited to this single location.

District(s): District 8

10:30 AM - Austin Housing and Finance Corporation Meeting

69. 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.

Items Associated with Public Hearings

70. Approve an ordinance repealing Ordinance Nos. 20220609-080, 20221201-055, and 20221201-056; and amending City Code Chapter 4-18 (General Permitting Standards) to establish application processes and procedures for City Code Title 25 (Land Development) density bonus and incentive programs. Related to Item #73.

Public Hearings and Possible Actions

71. Conduct a public hearing and consider an ordinance to amend City Code Title 25 related to environmental protections at the Ann and Roy Butler Hike and Bike Trail.
72. Conduct a public hearing and consider a resolution related to the allocation of housing tax credits and private activity bonds and the application by TX Clayton 2024, Ltd., or an affiliated entity, for a proposed development financed through the private activity bond program and known as Cameron HiLine located within the city of Austin at or near 1120 and 1124 Clayton Lane, Austin, Texas 78723.

District(s): District 4

73. Conduct a public hearing and consider an ordinance amending City Code Title 25 to create a new zoning district for a density bonus program that grants 30 feet in height above the base zone, to a maximum of 90 feet, and modifies site development regulations, including compatibility standards; and initiating rezoning of certain properties. Related to item #70.

Executive Session

74. Evaluate the performance of, and consider compensation and benefits for, the City Clerk (Personnel matters - Section 551.074 of the Government Code).
75. Evaluate the performance of, and consider compensation and benefits for, the City Auditor

(Personnel matters - Section 551.074 of the Government Code).

76. Evaluate the performance of, and consider compensation and benefits for, the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).
77. Discuss legal issues related to The State of Texas v. City of Austin, et al., Cause No. D-1-GN-24-000586 in the 419th Judicial District of Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Texas Government Code).

Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

78. 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): District 3

79. NPA-2022-0005.01 -Vargas Mixed Use - Approve third reading 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. Second Reading approved on October 19, 2023. Vote: 10-0. Council Member Harper-Madison absent. Agent: Thrower Design (A. Ron Thrower and Victoria Haase). City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 3

80. C14-2022-0107 - Vargas Mixed Use - Approve third reading 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. Second Reading approved on October 19, 2023. Vote: 10-0. Council Member Harper-Madison absent. 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): District 3

81. NPA-2023-0018.05 - Kenniston Residential - 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 410 and 412 Kenniston Drive (Waller Creek Watershed) from Higher Density Single Family to Multifamily Residential land use. Staff Recommendation and Planning Commission Recommendation: To grant Multifamily Residential land use. Owner/Applicant: Bethby LLC and Lewgun LLC. Agents: Thrower Design, LLC (Victoria Haase and Ron Thrower). City Staff: Maureen Meredith, Planning Dept. (512) 974-2695.

District(s): District 4

82. C14-2023-0122 - Kenniston Residential - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 410 and 412 Kenniston Drive (Waller Creek Watershed). Applicant's Request: To rezone from townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning to multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning. Staff Recommendation To grant multifamily residence medium density-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To grant multifamily residence highest density-neighborhood plan (MF-6-NP) combining district zoning. Owner/Applicant: Bethby LLC and Lewgun LLC. Agent Thrower Design (Victoria Haase and Ron Thrower). City Staff: Cynthia Hadri, Planning Department, 512-974-7620.

District(s): District 4

83. NPA-2023-0023.01 - Sheridan - Conduct a public hearing and approve an ordinance amending Ordinance No. 20070809-055 the University Hills/Windsor Park 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 6103 Sheridan Avenue (Fort Branch and Tannehill Branch Watershed) from Single Family to Commercial land use, as amended. Staff and Planning Commission recommendation: To grant the applicant's request for Mixed Use land use. Owner/Applicant: Leslie Elliott. Agent: Leslie Elliott. City Staff: Maureen Meredith, Planning Department (512) 974-2695.

District(s): District 4

84. C14-2023-0035 - Sheridan - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6103 Sheridan Avenue (Fort Branch and Tannehill Branch Watersheds) Applicant's Request: To rezone from family residence-neighborhood plan (SF-3-NP) combining district zoning to neighborhood commercial-mixed use-conditional overlay- neighborhood plan (LR-MU-CO-NP) combining district zoning, as amended. Staff and Planning Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay neighborhood plan (LR-MU-CO-NP) combining district zoning. Owner/Applicant: Poole (Leslie Elliott). Agent Leslie Elliott. City Staff: Jonathan Tomko, Planning Department, 512-974-1057. A valid petition has been filed in opposition to this rezoning request.

District(s): District 4

85. C14-2023-0130 - Manor CS-1 - Conduct a public hearing and approve an ordinance amending

City Code Title 25 by rezoning property locally known as 2200 Manor Road and 2801 Breeze Terrace (Boggy Creek Watershed) Applicant's Request: To rezone from general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning to commercial-liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant commercial-liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district zoning. Owner/Applicant: McElroy Building Company, Inc. (Ryan McElroy). Agent Thrower Design, LLC (Victoria Haase). City Staff: Jonathan Tomko, Planning Department, 512-974-1057.

District(s): District 9

86. NPA-2023-0023.02 - Berkman Mixed Use - Approve second and third readings of an ordinance amending Ordinance No. 20070809-55 the University Hills/Windsor Park 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 6405 Berkman Drive (Fort Branch Watershed) from Higher Density Single Family to Mixed Use land use. First reading approved January 18, 2024. Vote: 11-0. Owners/Applicants: 6405 Berkman TX, LLC. Agents: Thrower Design, LLC (Ron Thrower and Victoria Haase). City Staff: Maureen Meredith, Planning Department (512) 974-2695.

District(s): District 4

87. C14-2023-0107 - Berkman Mixed Use - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 6405 Berkman Drive (Fort Branch Watershed). Applicant's Request: To rezone from townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning, as amended. First reading approved January 18, 2024. Vote: 11-0. Owner/Applicant: 6405 Berkman TX, LLC. Agent: Thrower Design (Victoria Haase). City Staff: Jonathan Tomko. Planning Department, 512-974-1057.

District(s): District 4

88. C14-2023-0128 - 8711 Chisholm Lane Rezone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8711 Chisholm Lane (South Boggy Creek Watershed) Applicant's Request: To rezone from development reserve (DR) district zoning to single family residence standard lot (SF-2) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant single family residence standard lot (SF-2) district zoning. Owner/Applicant: John Luke Sanchez. Agent: Renee Godinez. City Staff: Cynthia Hadri, Planning Department, 512-974-7620.

District(s): District 5

89. C14-2023-0127 - 1900 Keilbar Ln - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1900 Keilbar Lane (Williamson Creek Watershed) Applicant's Request: To rezone from development reserve (DR) 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: Building ATX LLC (Stuart Carr). Agent: Building ATX LLC (Cody Carr). City Staff: Cynthia Hadri, Planning Department, 512-974-7620.

District(s): District 5

90. NPA-2023-0020.01 - 4201 South Congress - Approve second and third readings of an ordinance amending Ordinance No. 20050818-Z001 the South Congress 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 4201 South Congress Avenue (Williamson Creek and Blunn Creek Watershed) from Industry to Mixed Use land use. First Reading approved on February 1, 2024. Vote: 11-0. Owner/Applicant: 300 Industrial: 4201 S Congress Ave Owner, LLC, a Delaware limited liability company. Agent: Armbrust & Brown, PLLC (Ferris Clements). City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 3

91. C14-2023-0043 - 4201 South Congress - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4201 South Congress Avenue (Williamson Creek Watershed). Applicant Request: To rezone from limited industrial service-neighborhood plan (LI-NP) combining district zoning and limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. First Reading approved general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning on February 1, 2024. Vote: 11-0. Owner/Applicant: 4201 S. Congress Ave Owner, LLC (Gavin Greenblum). Agent: Armbrust & Brown, PLLC (Ferris Clements). City Staff: Nancy Estrada, Planning Department, 512-974-7617.

District(s): District 3

92. NPA-2023-0020.03 - 300-440 Industrial Blvd. NPA - Approve second and third readings of an ordinance amending Ordinance No. 20050818-Z001 the South Congress 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 300, 400, 436 and 440 Industrial Blvd and 4211 Willow Springs Rd (Blunn Creek Watershed) from Industry to Mixed Use land use. First Reading approved on February 1, 2024. Vote: 11-0. Owner/Applicant: 300 Industrial: LEIFINDUS300, LLC; 436 and 440 Industrial: LEIFINDUS440, LLC. Agent: Drenner Group, PC (Leah Bojo). City Staff: Maureen Meredith, Planning Department, (512) 974-2695.

District(s): District 3

93. C14-2023-0044 - 300-440 Industrial Blvd. - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 300, 400, 436, 440 Industrial Boulevard and 4211 Willow Spring Road (Blunn Creek Watershed). Applicant Request: To rezone from limited industrial service-neighborhood plan (LI-NP) combining district zoning to limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning. First Reading approved limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, as amended, on February 1, 2024. Vote: 11-0. Owner/Applicant: LEIFINDUS300, LLC; LEIFINDUS440, LLC (Maxwell Leifer). Agent: Drenner Group, PC (Leah M. Bojo). City Staff: Nancy Estrada, Planning Department,

512-974-7617.

District(s): District 3

94. C14-2023-0046 - 600 Industrial Blvd. - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 506 and 600 Industrial Boulevard and 4138 1/2 Terry O Lane (Blunn Creek Watershed). Applicant Request: To rezone from limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning, to change conditions of zoning. First Reading approved on February 1, 2024. Vote: 11-0. Owner/Applicant: LEIDEV600 TIC, LLC; 728 Post Road, LLC; BMARS Holdings, LLC (Maxwell Leifer). Agent: Drenner Group, PC (Leah M. Bojo). City Staff: Nancy Estrada, Planning Department, 512-974-7617.

District(s): District 3

95. C14-2023-0048 - 7500 Burnet Road - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7500 Burnet Road (Shoal Creek Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to general commercial services-mixed use-vertical mixed use building (CS-MU-V) combining district zoning. First Reading approved general commercial services-mixed use-vertical mixed use building-conditional overlay (CS-MU-V-CO) combining district zoning, as amended, on February 1, 2024. Vote: 11-0. Owner/Applicant: 7500 Burnet LP, (Anthony Clarke). Agent: Alice Glasco Consulting, (Alice Glasco). City Staff: Nancy Estrada, Planning Department, 512-974-7617.

District(s): District 7

96. C14-2023-0123 - 1900 Burton Drive - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1900 Burton Drive (Lady Bird Lake Watershed). Applicant Request: To rezone from multifamily residence moderate-high density-conditional overlay (MF-4-CO) combining district zoning to community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning. Owner/Applicant: Flats on Burton, LLC. Agent: Metcalfe Wolff Stuart and Williams, LLP (Michele Rogerson Lynch). City Staff: Nancy Estrada, Planning Department, 512-974-7617.

District(s): District 3

97. C14-2023-0096 - Ben White Boulevard Medical Office - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4007 James Casey Street (West Bouldin Creek Watershed). Applicant Request: To rezone from community commercial-vertical mixed use building-neighborhood plan (GR-V-NP) combining district zoning to commercial highway services-planned development area-neighborhood plan (CH-PDA-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant commercial highway services-planned development area-neighborhood plan (CH-PDA-NP) combining district zoning. Owner/Applicant: St. David's HealthCare Partnership, LP, LLP; Kenneth B. Ferguson Investments, Inc.; KBF Jacs South Austin, LLC (Mark Worsham, Kenneth B. Ferguson). Agent: Armbrust & Brown, PLLC (Michael Whellan). City Staff: Nancy Estrada,

Planning Department, 512-974-7617.

District(s): District 3

Adjourn

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

For assistance, please call 512-974-2210 or TTY users route through 711.

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

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

Consent Agenda

Development Services

98. Approve an ordinance waiving or reimbursing certain fees for the two-day Blues on the Green event.

Financial Services- Contracts

99. Authorize negotiation and execution of a contract for pre-construction and construction services for the Barbara Jordan Terminal Optimization - Phase 2 project with The Whiting-Turner Contracting Company, in an amount not to exceed \$150,000,000.

[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) by meeting the goals with 10.41% DBE participation.]

District(s): District 2

Item(s) from Council

100. Approve a resolution regarding Council's commitment to supporting workers' rights and calling on Google, LLC to engage in negotiations with the union representing the YouTube Music Content Operations Team.

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

Item(s) to Set Public Hearing(s)

101. Set a public hearing to consider an ordinance amending Exhibit A to the Fiscal Year 2023-2024 City Fee and Fine Ordinance (Ordinance No. 20230816-007) to add a dedicated GoPurple component of \$0.15 cents per thousand gallons to Austin Water's water utility and wastewater utility community benefit charge to support reuse strategies in the Water Forward plan (Suggested date: March 7, 2024, at Austin City Hall, 301 W. 2nd Street, Austin, Texas).

Non-Consent

Executive Session

102. Discuss legal issues related to Sam Kirsch v. City of Austin et al, Cause No. 1:20-cv-01113-RP in the United States District Court for the Western District of Texas, Austin Division; Modesto Rodriguez v. City of Austin et al, Cause No. 1:21-cv-01087-RP in the United States District Court for the Western District of Texas, Austin Division; Alyssa Sanders v. City of Austin et al, Cause No. 1:22-cv-314-RP in the United States District Court for the Western District of Texas, Austin Division; Tyree Talley v. City of Austin et al, Cause No. 1:21-cv-00249 in the United States District Court for the Western District of Texas, Austin Division; and Ge'micah Volter-Jones v. City

of Austin et al, Cause No. 1:22-cv-00511 in the United States District Court for the Western District of Texas, Austin Division (Private consultation with legal counsel - Section 551.071 of the Government Code).

Adjourn

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