



Control Number: 52000



Item Number: 1

Addendum StartPage: 0

CHRISTOPHER D. SMITH
DIRECT LINE 512-659-6912
CHRIS.SMITH@SMITHJOLIN.COM

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JOLIN**
2021 APR -8 PM 3:53
PUBLIC UTILITY COMMISSION
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SMITH JOLIN LLP
9000 DOWNEY EXPRESSWAY
BELLMEAD, TEXAS 78746
AUSTIN, TX 78746

April 8, 2021

Public Utility Commission of Texas
1701 N. Congress Avenue
Austin, Texas 78701

Re: CCN Water Service Area Transfer Agreement between the City of Austin
and Forest Oaks Mobile Homes, LLC

Dear Commission:

I represent Professional Contract Services, Inc. ("PCSI"), owner of a tract in Travis County partially in the service area of the City of Austin (the "City") under CCN No. 11322 and partially in the service area of Forest Oaks Mobile Homes, LLC ("Forest Oaks") under CCN No. 12086. Both the City and Forest Oaks are retail public utilities.

The City and Forest Oaks have entered into an agreement pursuant to Texas Water Code § 13.248, whereby Forest Oaks is voluntarily relinquishing the 5.47 acres of its service area on PCSI's property to the City so that the City may provide continuous and adequate water service to the entirety of the PCSI tract. No other landowners are affected by the agreement. I have attached the fully executed agreement, including mapping exhibits showing the area to be transferred. The parties have authorized me to file and process this application.

With respect to the public notice requirements of 16 Texas Administrative Code § 24.253(c)(2) and (3), the Agreement includes Exhibit E, the minutes from the March 4, 2021 Austin City Council Meeting approving the negotiation and execution of the Agreement (Consent Agenda Item 8), and Exhibit F, an affidavit of City Water Director Greg Meszaros attesting to the fact that notice was properly provided. Forest Oaks is a private limited liability company not subject to notice provisions. No customers are being transferred as part of this transaction.

Please let me know if the Commission requires any further information or documentation for approval of the agreement.

Sincerely,

A handwritten signature in black ink, appearing to be 'Chris Smith', written in a cursive style.

Chris Smith
Counsel for Professional
Contract Services, Inc.

Enclosure

cc:

Holly Heinrich, City of Austin (Holly.Heinrich@austintexas.gov)
Palmer Stevens, Forest Oaks Mobile Homes, LLC (palmer.stevens@gmail.com)
Steven R. Ureel, Forest Oaks Mobile Homes, LLC (sureel@webuyparks.com)
Eric Barbosa, Professional Contract Services, Inc. (ebarbosa@pcsi.org)
Mark Nogalski, Selman Munson & Lerner P.C., (mnogalski@selmanmunson.com)

WATER SERVICE AREA TRANSFER AGREEMENT

THIS WATER SERVICE AREA TRANSFER AGREEMENT (the “**Agreement**”) is made and entered into by and between the City of Austin (“**City**”), a home rule municipality organized and existing under the laws of the State of Texas, and Forest Oaks Mobile Homes, LLC (“Forest Oaks”) a retail public utility and Texas limited liability company. The City and Forest Oaks are each a “**Party**.” Collectively, they are the “**Parties**.” This Agreement is effective on the date that the last Party signs the Agreement (the “**Effective Date**”).

RECITALS

WHEREAS, Forest Oaks is the holder of Certificate of Convenience and Necessity No. 12086 (the “**Forest Oaks CCN**”), which includes a certain service area with boundaries within Travis County, Texas;

WHEREAS, the City is the holder of Certificate of Convenience and Necessity No. 11322 (the “**City CCN**”), the boundaries of which are within Travis, Hays, and Williamson Counties, Texas;

WHEREAS, Texas Water Code § 13.248 authorizes contracts between retail public utilities designating areas to be served and customers to be served by those retail public utilities, when approved by the Public Utility Commission (“**PUC**”) after public notice and hearing;

WHEREAS, the Forest Oaks CCN and the City CCN boundaries are adjacent to each other;

WHEREAS, Professional Contract Services, Inc. (“**PCSI**”) is the owner of a tract of land containing approximately 13.198 acres, being more particularly described as Lots 1 and 2, Block A, FM 1626 OFFICE WAREHOUSE SUBDIVISION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded as Document No. 200600080 of the Official Public Records of Travis County, Texas (the “**PCSI Tract**”), a portion of which is located in the City CCN and a portion of which is located in the Forest Oaks CCN;

WHEREAS, PCSI has requested that the portion of the PCSI Tract located within the Forest Oaks CCN (the “**Transfer Tract**”) be transferred from the Forest Oaks CCN to the City CCN and Forest Oaks and PCSI have reached an agreement to accommodate such a request;

WHEREAS, the Transfer Tract is mapped on Exhibit A (General Location Map), Exhibit B (Detailed Map) and Exhibit C (Survey) attached hereto and is more particularly described by metes and bounds on Exhibit D (Legal Description) attached hereto;

WHEREAS, the Parties desire to transfer certification for the Transfer Tract from the Forest Oaks CCN to the City CCN in accordance with the terms of this Agreement;

WHEREAS, there are no customers or facilities located on the Transfer Tract and Forest Oaks has never provided service to the Transfer Tract;

NOW THEREFORE, for the mutual promises and covenants contained herein and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

AGREEMENT

1. **Purpose.** This Agreement shall be a “contract” designating areas and customers to be served by the Parties in accordance with Texas Water Code § 13.248.

2. **Transfer of the Transfer Tract.** Forest Oaks transfers and conveys to the City, and the City accepts from Forest Oaks, the Transfer Tract; and the Parties thereby agree to modification of the boundaries of their water CCNs, accordingly. There are no customers or facilities located on the Transfer Tract and, therefore, none are being transferred. Forest Oaks agrees to take all necessary steps and pay all costs to prepare, file and advance the application(s) at the PUC necessary to transfer the Transfer Tract from the Forest Oaks CCN to the City CCN. The City agrees to cooperate with Forest Oaks in advancing such application(s) should the need arise. The Parties agree that PCSI may, at its expense, take any such actions to prepare, file and advance such application(s) on behalf of Forest Oaks.

3. **No Continuing Obligation to Serve.** The Parties agree that, upon PUC approval of the application(s) to transfer the Transfer Tract from Forest Oaks CCN to the City CCN, Forest Oaks shall have no further obligation to provide retail water service to the Transfer Tract.

4. **List of Exhibits.** The following exhibits are attached to this Agreement and incorporated herein:

Exhibit A: General Location Map

Exhibit B: Detailed Map

Exhibit C: Survey of Transfer Tract

Exhibit D: Legal Description of Transfer Tract

Exhibit E: Meeting Agenda and Minutes

Exhibit F: Affidavit Regarding Notice

5. **Applicable Law.** This Agreement shall be governed by, and construed in accordance with, the Constitution and the laws of the State of Texas.

6. **Entire Agreement.** This Agreement reflects the entire agreement and supersedes all prior and contemporaneous agreements and understandings, both written and oral, between the Parties with respect to the subject matter thereof.

7. **Notice.** The following notice requirements shall apply with regard to notice by the Parties to each other, except with regard to other or additional requirements that may apply to documents served on all parties as provided in 16 Tex. Admin Code § 22.74. When this Contract requires the Parties to provide notice to each other, the notice shall be in writing. Notices must be addressed, hand-delivered, or emailed only to the person designated for receipt of notice. A mailed notice shall be considered delivered three (3) business days after postmarked if sent by U.S. Postal Service Certified or Registered Mail, Return Receipt Requested, postage prepaid. Hand-delivered notices are considered delivered only when the addressee receives those notices. Notices delivered by e-mail are considered delivered three (3) business days after transmittal or when received by the addressee whichever is earlier. The Parties may make routine communications by first class mail, email, or other commercially accepted means. Notices and routine communications to the City and Forest Oaks shall be addressed as follows:

If to the City:

City of Austin
Attn: Director, Forest Oaks-City of Austin CCN Exchange
625 E. 10th Street, Suite 800
Austin, Texas, 78767
Phone: (512) 972-0108
Email: Greg.Meszaros@austintexas.gov

With copies to: Virginia Collier, virginia.collier@austintexas.gov

If to Forest Oaks:

Forest Oaks Mobile Homes, LLC
Attn: Palmer K. Stevens
724 W. FM 1626, Trailer # 4
Austin, Texas, 78748
Phone: (512) 282-7188
Email: palmer.stevens@gmail.com

With copies to: Steven R. Ureel, sureel@webuyparks.com

8. **Successors and Assigns.** This Agreement shall bind the Parties and their legal successors, but shall not otherwise be assignable by any Party without prior written consent of the other Party, whose consent shall not be unreasonably withheld. All of the respective obligations of each Party shall bind that Party and shall apply to and bind any successors or assigns of that Party.

9. **Venue.** Actions taken by either Party in connection with this Agreement shall be deemed to have occurred in Travis County, Texas.

10. **Recitals.** The above recitals are true and correct and are incorporated into this Agreement for all purposes.

11. **Multiple Originals.** This Agreement may be executed in a number of counterparts, each of which shall be for all purposes deemed to be an original, and all such counterparts shall together constitute and be one and the same instrument.

12. **Authority.** The Parties represent that the individuals named below are duly authorized to execute this Agreement on behalf of their respective Party.


13. **Enforceability.** The Parties agree that this Agreement constitutes the legal, valid, and binding obligation of each Party hereto, enforceable in accordance with its terms, and that each Party is entering into this Agreement in reliance upon the enforceability of this Agreement.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date(s) set forth below to be effective as of the Effective Date.

CITY:


CITY OF AUSTIN, TEXAS,
a Texas home rule municipality

By:  _____
Greg Meszaros, Austin Water Director

Date: 03/12/2021

FOREST OAKS:

FOREST OAKS MOBILE HOMES, LLC,
a Texas limited liability company

By:  _____
Palmer K. Stevens, Manager

Date: December 17, 2020

Exhibit A

General Location Map

[See attached]



Portion of the PCSI Tract to be removed from the Forest Oaks CCN (5.47 Acres)



BLEYL ENGINEERING

PLANNING • DESIGN • MANAGEMENT

12007 TECHNOLOGY BLVD., SUITE 150, AUSTIN, TX 78727
(512) 454-2400 | FIRM NO. 678
WWW.BLEYLENGINEERING.COM

**PUBLIC UTILITY
COMMISSION OF TEXAS**

LOCATION MAP

PCSI TRACT TO BE REMOVED FROM FOREST
OAKS WATER CCN
AUSTIN, TRAVIS COUNTY, TEXAS

Job No.70202

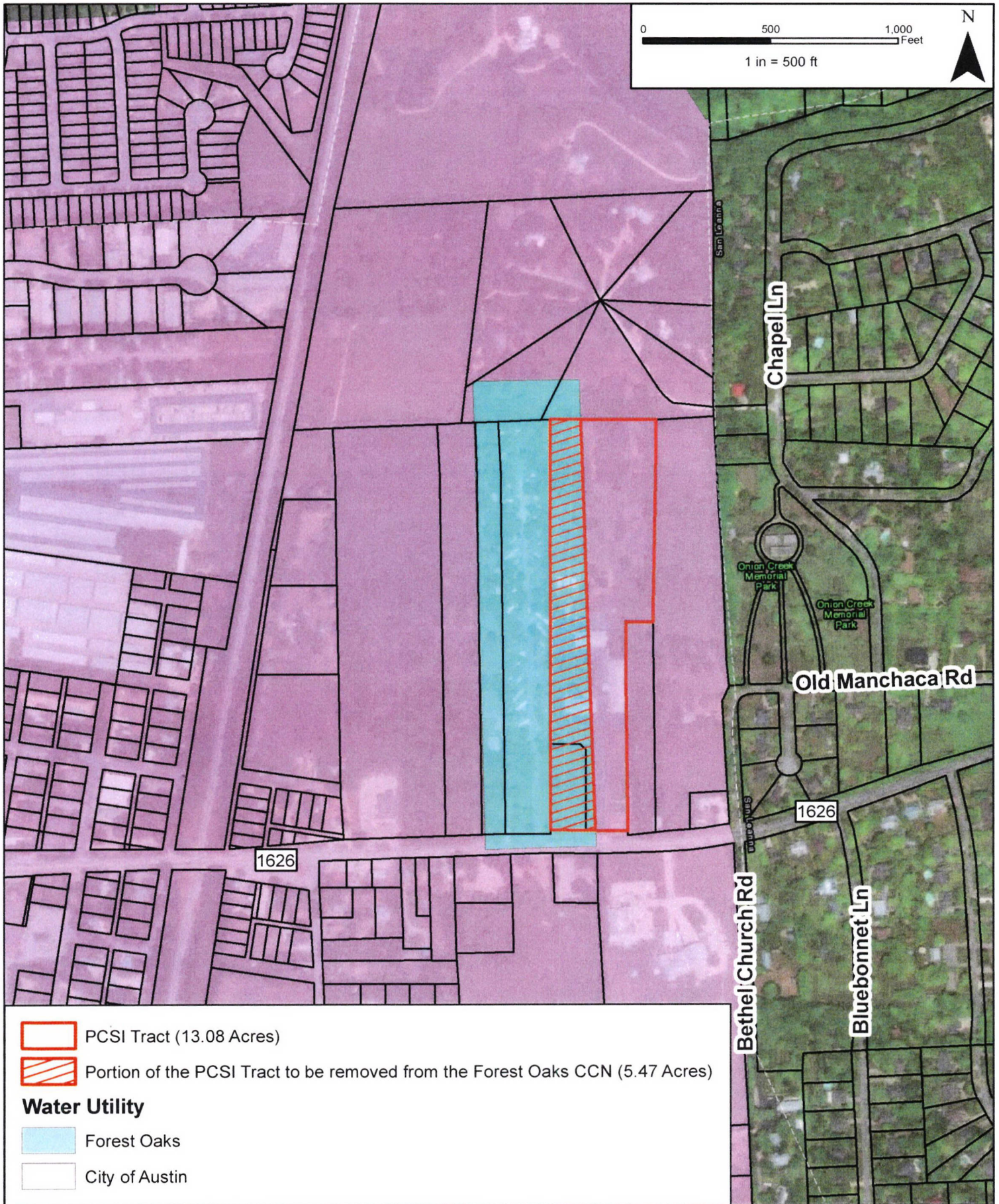
Author: SW

Date: 1/14/2021

Exhibit B

Detailed Map

[See attached]



PCSI Tract (13.08 Acres)



Portion of the PCSI Tract to be removed from the Forest Oaks CCN (5.47 Acres)

Water Utility



Forest Oaks



City of Austin



BLEYL ENGINEERING

PLANNING • DESIGN • MANAGEMENT

12007 TECHNOLOGY BLVD., SUITE 150, AUSTIN, TX 78727
(512) 454-2400 | FIRM NO. 678
WWW.BLEYLENGINEERING.COM

PUBLIC UTILITY COMMISSION OF TEXAS

OVERVIEW MAP

PCSI TRACT TO BE REMOVED FROM FOREST
OAKS WATER CCN
AUSTIN, TRAVIS COUNTY, TEXAS

Job No.70202

Author: SW

Date: 1/14/2021

Exhibit C

Survey of Transfer Tract

[See attached]



-  PCSI Tract (13.08 Acres)
-  Portion of the PCSI Tract to be removed from the Forest Oaks CCN (5.47 Acres)

BLEYL ENGINEERING
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12007 TECHNOLOGY BLVD., SUITE 150, AUSTIN, TX 78727
(512) 454-2400 | FAX NO. 678
WWW.BLEYENGINEERING.COM

**PUBLIC UTILITY
COMMISSION OF TEXAS**

DETAILED MAP		
PCSI TRACT TO BE REMOVED FROM FOREST OAKS WATER CCN AUSTIN, TRAVIS COUNTY, TEXAS		
Job No.70202	Author: SW	Date: 1/14/2021

Exhibit D

Legal Description of Transfer Tract

Lots 1 and 2, Block A, FM 1626 OFFICE WAREHOUSE SUBDIVISION, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded under Document No. 200600080 of the Official Public Records of Travis County, Texas.



PLATS
2 PGS

200600080

PLAT DOCUMENT # _____

PLAT

PLAT RECORDS INDEX SHEET:

SUBDIVISION NAME: FM 1626 OFFICE WAREHOUSE SUBDIVISION

OWNERS NAME: PROFESSIONAL CONTRACT SERVICES

RESUBDIVISION? YES ☐ NO ☒

ADDITIONAL RESTRICTIONS / COMMENTS:

NONE

RETURN:

CALL WHEN READY
COA/ ELSA
(512) 974-2308

PLAT FILE STAMP

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

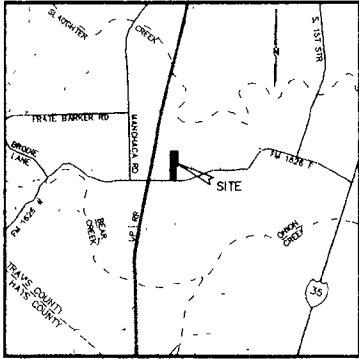
2006 Mar 29 10:49 AM 200600080

CRIDERL \$65.00

DANA DEBEAUVOIR COUNTY CLERK
TRAVIS COUNTY TEXAS

200600080

FM 1626 OFFICE WAREHOUSE SUBDIVISION



LOCATION MAP (NOT TO SCALE)

OWNER: PROFESSIONAL CONTRACT SERVICES, INC.
5700 WOPAC EXPRESSWAY SOUTH
BUILDING E, SUITE 500
AUSTIN, TX 78749
PHONE (512) 358-8887

SURVEY: WALKER WILSON LEAGUE SURVEY NO. 2,
ABSTRACT NO. 27

AREA: 13.198 ACRES

TOTAL NUMBER OF LOTS: 2 (COMMERCIAL)

TOTAL NUMBER OF BLOCKS: 1 (BLOCK A)

SURVEYOR: CUNNINGHAM-ALLEN, INC.
3103 BEE CAVE ROAD, SUITE 202
AUSTIN, TX 78746

ENGINEER: CUNNINGHAM-ALLEN, INC.
3103 BEE CAVE ROAD, SUITE 202
AUSTIN, TX 78746

STREET DEDICATION: NONE

RIGHT-OF-WAY DEDICATION: 0.117 ACRES

LINE	BEARING	DISTANCE
L1	S85°44'00"W	115.78'
L2	S49°31'01"E	28.16'
L3	S85°13'58"W	40.50'
L4	N85°13'58"E	40.50'
L5	N04°46'02"W	15.00'

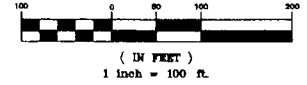
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG.	CHORD
C1	51.50'	50.45'	56°07'42"	N23°17'48"E	48.48'
C2	24.50'	24.00'	56°07'42"	N23°17'49"E	23.05'

LEGEND

- 1/2" IRON ROD FOUND (UNLESS STATED)
- IRON PIPE FOUND (SIZE STATED)
- CONCRETE HWY MONUMENT FOUND (TYPE I)
- 1/2" IRON ROD W/CAP SET (UNLESS STATED)
- POWER POLE
- PROPOSED SIDEWALK
- () RECORD INFORMATION
- D.R.T.C. DEED RECORDS OF TRAVIS COUNTY
- R.P.R.T.C. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- O.P.R.T.C. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY
- BM BENCHMARK

FRANK J GUSZAK & DIANA F GUSZAK
DOC. NO 2000077345 O.P.R.T.C

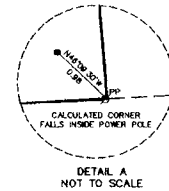
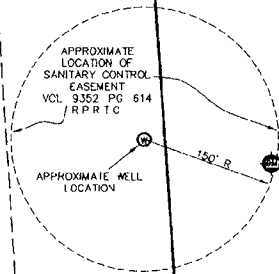
GRAPHIC SCALE



WALKER WILSON LEAGUE, SURVEY NO. 2,
ABSTRACT NO. 27

WALTER B HECTOR
VOL 817, PG 404 D.R.T.C

LOT 1
BLOCK A
12.010 ACRES



WALKER WILSON LEAGUE, SURVEY NO. 2,
ABSTRACT NO. 27

TEXANNA PROPERTIES, INC.
6.73 ACRES R.P.R.T.C.
VOL 12093, PG. 3168 R.P.R.T.C

LOT 2
BLOCK A
1.071 ACRES

HOMER ALAN SELLARS
VOL 4575, PG. 884 D.R.T.C

FM 1626 WEST
(R.O.W.)

CA
Cunningham | Allen
Engineers - Surveyors

3103 Bee Cave Road, Suite 202
Austin, Texas 78746-6819

Tel: (512) 321-2946
Fax: (512) 321-2973

DATE: 8/05 PROJECT NO: 357 0101
DRAWN BY: BW/BCW SHEET 1 OF 2

FM 1626 OFFICE WAREHOUSE SUBDIVISION

NOTES

1. EACH LOT WILL BE SERVED WITH A WELL, ON-SITE SEPTIC, OR OTHER CITY OF AUSTIN/TRAVIS COUNTY APPROVED METHOD
2. BY APPROVING THIS PLAT, THE CITY OF AUSTIN AND TRAVIS COUNTY ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF THE LOTS IN THIS SUBDIVISION IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR THE OWNERS OF THE LOTS. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO CITY/COUNTY STANDARDS MAY BE JUST CAUSE FOR THE CITY/COUNTY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS INCLUDING BUILDING PERMITS, SITE PLAN APPROVALS, AND/OR CERTIFICATES OF OCCUPANCY
3. PRIOR TO CONSTRUCTION ON LOTS IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN AND TRAVIS COUNTY FOR REVIEW. RAINFALL RUNOFF SHALL BE HELD TO THE AMOUNT EXISTING AT UNDEVELOPED STATUS BY PONDING OR OTHER APPROVED METHODS
4. NO BUILDINGS, FENCES, LANDSCAPING OR OTHER STRUCTURES IN DRAINAGE EASEMENTS ARE PERMITTED EXCEPT AS APPROVED BY THE CITY OF AUSTIN/TRAVIS COUNTY
5. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS ASSIGNS
6. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN AND TRAVIS COUNTY. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OF REPLACING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS
7. SIDEWALKS ALONG FM 1626 ARE REQUIRED TO BE CONSTRUCTED BY THE PROPERTY OWNER AFTER THE ADJUTING ROADWAY IS IMPROVED AND CONCRETE CURBS ARE IN PLACE. THE SIDEWALKS ALONG FM 1626 ARE SUBJECT TO APPROVAL BY THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT). FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS WILL RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR UTILITY COMPANY, LDC 25-6-351.
8. PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN (SECTION 25-5-1 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE)
9. WATER QUALITY CONTROLS ARE REQUIRED FOR ALL DEVELOPMENT WITH IMPERVIOUS COVER IN EXCESS OF 20% OF THE NET SITE AREA OF EACH LOT. PURSUANT TO SECTION 30-5-211 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE
10. WATERSHED STATUS: THIS PROJECT IS LOCATED IN THE ONION CREEK AND SLAUGHTER CREEK WATERSHEDS, BOTH OF WHICH ARE CLASSIFIED AS SUBURBAN, AND SHALL BE DEVELOPED, CONSTRUCTED, AND MAINTAINED IN CONFORMANCE WITH THE TERMS AND CONDITIONS OF CHAPTER 25-2 AND CHAPTER 30-5 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE
11. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN APPROVED ON-SITE WATER AND ON-SITE WASTEWATER SYSTEM OR OTHER APPROVED WATER AND WASTEWATER SYSTEM IF AVAILABLE
12. DEVELOPMENT OF THESE LOTS IS HEREBY RESTRICTED TO USES OTHER THAN RESIDENTIAL USES
13. STREETS, DRAINAGE SYSTEMS, E/S CONTROL, WATER AND WASTEWATER SYSTEMS SHALL BE DESIGNED AND INSTALLED TO CITY OF AUSTIN AND TRAVIS COUNTY STANDARDS. PRIOR TO ANY CONSTRUCTION, PLANS SHALL BE SUBMITTED TO THE CITY OF AUSTIN AND TRAVIS COUNTY FOR REVIEW
14. AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH CHAPTER 30-5, SUBCHAPTER B, OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
15. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND/OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRICAL FACILITIES FOR THIS SITE. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING, AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH CHAPTER 30-5 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE
16. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY INITIAL TREE PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE CENTERLINE OF THE PROPOSED OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE AUSTIN ENERGY'S WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.
17. THE OWNER SHALL BE RESPONSIBLE FOR MAINTAINING NATIONAL ELECTRIC SAFETY CODE/OSHA CODE CLEARANCES BETWEEN ELECTRICAL LINES AND EQUIPMENT, BUILDINGS, AND SIGNS DURING AND AFTER CONSTRUCTION. FAILURE TO COMPLY WITH NESC WILL PREVENT THE PROJECT FROM BEING ENERGIZED. ALL COSTS INCURRED BECAUSE OF FAILURE TO COMPLY WITH NESC WILL BE CHARGED TO THE OWNER
18. EROSION/SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, PURSUANT TO THE LAND DEVELOPMENT CODE SECTION 30-5-181, AND THE ENVIRONMENTAL CRITERIA MANUAL.
19. FOR A MINIMUM TRAVEL DISTANCE OF 25 FEET FROM THE ROADWAY EDGE, DRIVEWAY GRADES MAY EXCEED 14% ONLY WITH SPECIFIC APPROVAL OF SURFACE AND GEOMETRIC DESIGN PROPOSALS BY THE CITY OF AUSTIN
20. ANY ELECTRIC UTILITY ACTIVITY INSIDE THE SUBDIVISION SHALL BE INCLUDED UNDER THE DEVELOPMENT PERMIT
21. PROPERTY OWNER OR HIS/HER ASSIGNS SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.
22. NO STRUCTURE SHALL BE OCCUPIED UNTIL THE WATER QUALITY CONTROL (IF APPLICABLE) AND DETENTION FACILITY HAVE BEEN CONSTRUCTED, INSPECTED, AND ACCEPTED BY THE CITY OF AUSTIN AND TRAVIS COUNTY
23. TRAVIS COUNTY DEVELOPMENT PERMIT IS REQUIRED PRIOR TO ANY SITE DEVELOPMENT
24. JOINT ACCESS TO FM 1626 FROM LOTS 1 AND 2, BLOCK A WILL BE PROVIDED

BEARING BASIS: THE WEST LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO PROFESSIONAL CONTRACT SERVICES, INC., OF RECORD IN DOCUMENT NO. 2004166285 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (N041616W)

REFERENCE BENCHMARK

F.M. 2304 & MEREDITH RD. S.E. CORNER OF INTERSECTION "L" CUT AT N.W. CORNER OF CONCRETE PORCH TO THE OLD US POST OFFICE. ELEVATION = 704.92
REFERENCE CITY OF AUSTIN BENCHMARK (FB 3517, P. 56)

BENCHMARKS

COTTON SPINDLE SET IN THE NORTH SIDE OF POWER POLE #11610 LOCATED ALONG THE NORTH SIDE OF FM 1626 +/- 175' WEST OF THE SOUTHEAST CORNER OF THE SUBJECT TRACT. ELEVATION = 601.17 (FB 1592-17)

COTTON SPINDLE SET IN A 28" PECAN TREE TAG #5069 LOCATED +/- 910' NORTH OF THE NORTH RIGHT OF WAY LINE OF FM 1626 AND +/- 119' EAST OF THE WEST PROPERTY LINE OF THE SUBJECT TRACT. ELEVATION = 700.65

STATE OF TEXAS COUNTY OF TRAVIS:

KNOW ALL MEN BY THESE PRESENTS: THAT PROFESSIONAL CONTRACT SERVICES, INC., A TEXAS CORPORATION, ACTING HEREIN BY AND THROUGH ACE L. BURT, PRESIDENT, BEING THE OWNER OF THAT CERTAIN TRACT OF LAND SITUATED IN THE WALKER WILSON LEAGUE, SURVEY NO. 2, ABSTRACT NO. 27, DESCRIBED IN DEED OF RECORD IN DOCUMENT NO. 2004166285 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, DOES HEREBY SUBDIVIDE 13.198 ACRES PURSUANT TO TEXAS LOCAL GOVERNMENT CODE, CHAPTER 212 AND 232, AND IN ACCORDANCE WITH THE MAP OR PLAT SHOWN HEREON TO BE KNOWN AS

"FM 1626 OFFICE WAREHOUSE SUBDIVISION"

AND DOES HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED

WITNESS MY HAND THIS 20th DAY OF March 2006

ACE L. BURT, PRESIDENT
PROFESSIONAL CONTRACT SERVICES, INC., A TEXAS CORPORATION
5700 MOPAC EXPRESSWAY SOUTH
BUILDING E, SUITE 560
AUSTIN, TX 78749

STATE OF TEXAS COUNTY OF TRAVIS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ACE L. BURT, KNOWN TO BE THE PERSON OR AGENT WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 20th DAY OF March 2006

NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS

LEONOR L. LABARGE
NOTARY PUBLIC
COMMISSION EXPIRES
DECEMBER 5 2009

CITY OF AUSTIN/TRAVIS COUNTY ON-SITE SEWAGE FACILITY PROGRAM NOTES

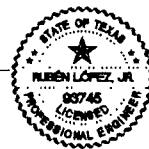
1. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR A PRIVATE ON-SITE WASTEWATER DISPOSAL SYSTEM, WHICH HAS BEEN APPROVED BY THE TRAVIS COUNTY ON-SITE WASTEWATER PROGRAM
2. NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A POTABLE WATER SUPPLY FROM AN APPROVED WATER SYSTEM
3. NO ON-SITE SEWAGE DISPOSAL SYSTEM MAY BE INSTALLED WITHIN 100 FEET OF A PRIVATE WATER WELL NOR MAY AN ON-SITE WASTEWATER DISPOSAL SYSTEM BE INSTALLED WITHIN 150 FEET OF A PUBLIC WATER WELL
4. NO CONSTRUCTION MAY BEGIN ON A LOT IN THIS SUBDIVISION UNTIL PLANS FOR THE PRIVATE ON-SITE SEWAGE DISPOSAL SYSTEM ARE SUBMITTED TO AND APPROVED BY THE TRAVIS COUNTY ON-SITE WASTEWATER PROGRAM
5. ALL DEVELOPMENT ON ALL LOTS IN THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE MINIMUM REQUIREMENTS OF TEXAS ADMINISTRATIVE CODE CHAPTER 285 AND TRAVIS COUNTY CODE CHAPTER 48.
6. THESE RESTRICTIONS ARE ENFORCEABLE BY THE TRAVIS COUNTY ON-SITE WASTEWATER PROGRAM
7. LOTS IN THIS SUBDIVISION ARE LIMITED TO COMMERCIAL USE ONLY

ROBERT TURNER
DATE: 3-15-2006

NO PORTION OF THIS TRACT IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) #48453C0280 F, TRAVIS COUNTY, TEXAS, DATED JANUARY 19, 2000, COMMUNITY # 481026.

I, RUBEN LOPEZ, JR., AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING, AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT, IS COMPLETE, AND COMPLIES WITH THE ENGINEERING RELATED PORTIONS OF TITLE 25 OF THE AUSTIN CITY CODE OF 1999, EXCEPT WHERE VARIANCES AND WAIVERS ARE APPROVED, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

RUBEN LOPEZ, JR., P.E. 83745
CUNNINGHAM-ALLEN, INC.
3103 BEE CAVE ROAD, SUITE 202
AUSTIN, TEXAS 78746
(PHONE) 512-327-2946 (FAX) 512-327-2973



I, FREDDIE E. DIPPEL, JR., AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING, AND HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SURVEY RELATED PORTIONS OF TITLE 25 OF THE AUSTIN CITY CODE OF 1999, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION ON THE GROUND.

FREDDIE E. DIPPEL, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2988
CUNNINGHAM-ALLEN, INC.
3103 BEE CAVE ROAD, SUITE 202
AUSTIN, TEXAS 78746
(PHONE) 512-327-2946 (FAX) 512-327-2973



THIS SUBDIVISION IS LOCATED IN THE TWO (2) MILE EXTRA TERRITORIAL JURISDICTION (ETJ) OF THE CITY OF AUSTIN, TEXAS, ON THIS THE 22 DAY OF MARCH, 2006 A.D.

THIS PLAT HAS BEEN ACCEPTED AND AUTHORIZED FOR RECORD BY THE CITY, WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS THE 22nd DAY OF MARCH, 2006 A.D.
Dana DeBeauvoir, Director
JOE PANTALON, P.E. DIRECTOR
CITY OF AUSTIN
WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD, UNDER SECTION 30-2-34(d)(2), AUSTIN/TRAVIS COUNTY SUBDIVISION REGULATIONS, BY THE EXECUTIVE MANAGER, TRANSPORTATION AND NATURAL RESOURCES, TRAVIS COUNTY, THIS THE 15 DAY OF MARCH, 2006 A.D.

JOSEPH P. DEBELM, EXECUTIVE MANAGER
TRANSPORTATION AND NATURAL RESOURCES
DATE: 3/15/06

STATE OF TEXAS COUNTY OF TRAVIS:

I, DANA DEBEAUVOIR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 22nd DAY OF MARCH, 2006 A.D. AT 10:00 O'CLOCK A.M.
DULY RECORDED ON THE 22nd DAY OF MARCH, 2006 A.D. AT 10:00 O'CLOCK A.M. PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NO. 2004166280
OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE 22nd DAY OF MARCH, 2006 A.D.

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

LAURA JENKIN
COUNTY CLERK



 Cunningham Allen Engineers - Surveyors	1103 Bee Cave Road, Suite 202 Austin, Texas 78746-681v	Tel (512) 327-2946 Fax (512) 327-2973
	DATE: 8/05 DRAWN BY: BW/DCW	PROJECT: NO - JS7 0101 SHEET: 2 OF 2

Exhibit E

Meeting Agenda and Minutes

[See attached]

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, MARCH 4, 2021**

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, March 4, 2021 via Videoconference.

Mayor Adler called the Council Meeting to order at 10:03 a.m.

AUSTIN HOUSING AND FINANCE CORPORATION MEETING

Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 10:35 a.m. See separate minutes.

78. 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.

Mayor Adler adjourned the Board of Director's Meeting and reconvened the Council Meeting at 10:46 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council special called meeting of January 26, 2021, special called of February 2, 2021, work session of February 2, 2021, regular meeting of February 4, 2021, and special called of February 9, 2021.
The motion to approve the minutes of the Austin City Council special called meeting of January 26, 2021, special called of February 2, 2021, work session of February 2, 2021, regular meeting of February 4, 2021, and special called of February 9, 2021 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

Item 2 was pulled for discussion

3. Approve an ordinance amending City Code Chapter 3-1 (General Provisions) and Chapter 3-2 (Restrictions on Animals) to add definitions relating to declawing cats; prohibit the practice of declawing cats; creating an offense; and establishing an affirmative defense. Strategic Outcome(s): Health and Environment
Ordinance No. 20210304-003 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
4. Approve an ordinance amending the fiscal year 2020-2021 operating budgets of Austin Water and Austin Energy in Ordinance No. 20200812-001 to appropriate an additional \$5,000,000 for each of the utilities' Plus-One payment assistance programs, for a total additional appropriation of \$10,000,000, to help address the ongoing economic effects of the COVID-19 pandemic. Strategic Outcome(s): Government that Works for All
Ordinance No. 20210304-004 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 10-1 vote. Council Member Kelly voted nay.
5. Authorize negotiation and execution of ten-year extensions to existing electric service franchise agreements for the use of rights-of-way in other municipalities within the Austin Energy service area, maintaining the payment amount of three percent of gross electric revenues from customers within each municipality. Strategic Outcome(s): Government That Works for All.
The motion authorizing the negotiation and execution of ten-year extensions to existing electric service franchise agreements was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
6. Approve an ordinance authorizing acceptance of \$1,000,000 from the U.S. Department of Energy and amending the Fiscal Year 2020-2021 Austin Energy Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to appropriate \$1,000,000 for the Building Technologies Proving Ground - Public Sector Field Validation Conservation Research and Development Program. Strategic Outcome(s): Government That Works for All
Ordinance No. 20210304-006 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
7. Approve an ordinance authorizing waivers of the residential electric service initiation fee and establishing a one-time credit on residential electric bills to offset the customer charge for service during the recent cold weather event and declaring an emergency. Strategic Outcome(s): Government That Works for All.
Ordinance No. 20210304-007 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
8. Authorize negotiation and execution of an agreement allowing for the formal transfer of a portion of the Forest Oaks Mobile Homes, LLC water certificate of convenience and necessity (CCN) No. 12086 to the City of Austin water CCN No. 11322 for the area that overlaps with the Professional Contract Services, Inc. Tract, generally located approximately one half mile east of the intersection of FM 1626 and Menchaca Road. Strategic Outcome(s): nGovernment That Works for All.

The motion authorizing the negotiation and execution of an agreement allowing for the formal transfer of a portion of the Forest Oaks Mobile Homes, LLC water certificate of convenience and necessity was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

9. Authorize negotiation and execution of an amendment to the professional services agreements with HDR Engineering, Inc. for engineering services for the 2016 Large Scale General Civil Engineering Services Rotation List in the amount of \$1,850,000 for a total contract amount not to exceed \$3,143,872.50. [Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 17.52 % MBE and 14.84% WBE.] Strategic Outcome(s): Government that Works for All; Mobility; Safety; Health and Environment
The motion authorizing the negotiation and execution of an amendment to the professional services agreements with HDR Engineering, Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
10. Authorize negotiation and execution of an amendment to the professional services agreements with Baer Engineering & Environmental Consulting, Inc. (WBE); Ferkam Management Corporation (MBE); and Terracon Consultants, Inc.; for asbestos, lead paint, and mold consultant services for the 2017 Asbestos, Lead Paint, & Mold Consultant Services Rotation List in the amount of \$1,500,000 for a total contract amount not to exceed \$4,800,000, divided among the firms. [Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with no goals attached to the contract.] Strategic Outcome(s): Government that Works for All; Safety; Health and Environment
The motion authorizing the negotiation and execution of an amendment to the professional services agreements with Baer Engineering & Environmental Consulting, Inc. (WBE); Ferkam Management Corporation (MBE); and Terracon Consultants, Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
11. Authorize award and execution of a construction contract with DynaGrid Construction Group, LLC, for the Bluff Springs Substation project in the amount of \$7,407,380.03 plus a \$740,738 contingency, for a total contract amount not to exceed \$8,148,118.03. [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 13.14% MBE and 0.98% WBE participation.] Strategic Outcome(s): Safety; Government That Works for All; Mobility
The motion authorizing the award and execution of a construction contract with DynaGrid Construction Group, LLC was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
12. Authorize award and execution of a construction contract with Mechanical & Process Systems, LLC (MBE), for the Waller Creek Center HVAC Rehabilitation project in the amount of \$1,467,711 plus a \$146,771 contingency, for a total contract amount not to exceed \$1,614,482. [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 57.16% MBE and 2.62% WBE participation.] District(s) Affected: District 9. Strategic Outcome(s): Government That Works for All; Safety

The motion authorizing the award and execution of a construction contract with Mechanical & Process Systems, LLC was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

13. Authorize negotiation and execution of an amendment to the professional services agreement with Stanley Consultants, Inc., for professional engineering services for the Rainey Street Gas Insulated Switchgear Substation Design (formerly Future Downtown Gas Insulated Switchgear Substation Design) in the amount of \$1,436,894.58, for a total contract amount not to exceed \$2,895,894.58. [Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 30.64% MBE and 15.96% WBE.] District(s) Affected: District 9. Strategic Outcome(s): Safety; Mobility; Government That Works for All

The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Stanley Consultants, Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

14. Authorize award and execution of a construction contract with Muniz Concrete & Contracting, Inc. (DBE), for the ADA Ramp and Bus Stop Improvements 2021 Citywide Indefinite Delivery/Indefinite Quantity contract in the amount of \$1,000,000 for an initial one-year term, with one, six-month extension option of \$500,000, for a total contract amount not to exceed \$1,500,000. [Note: This contract will be awarded in compliance with the requirements of 49 CFR Part 26 and City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Program) by meeting the goal with 14.36% DBE participation.] Strategic Outcome(s): Safety; Mobility

The motion authorizing the award and execution of a construction contract with Muniz Concrete & Contracting, Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

15. Authorize award and execution of a construction contract with Alpha Paving Industries LLC (MBE), for the Street Rehabilitation Phase 2 Project No. 2 Indefinite Delivery/Indefinite Quantity contract in the amount of \$2,000,000 for an initial one-year term, with two, one-year extension options of \$2,000,000 each, for a total contract amount not to exceed \$6,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.54% MBE and 0.85% WBE participation.] Strategic Outcome(s): Safety; Mobility

The motion authorizing the award and execution of a construction contract with Alpha Paving Industries LLC was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

16. Authorize award and execution of a construction contract with Alpha Paving Industries LLC (MBE), for the Street Rehabilitation Phase 2 Project No. 3 Indefinite Delivery/Indefinite Quantity contract in the amount of \$2,000,000 for an initial one-year term, with two, one-year extension

options of \$2,000,000 each, for a total contract amount not to exceed \$6,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.54% MBE and 0.85% WBE participation.] Strategic Outcome(s): Safety; Mobility

The motion authorizing the award and execution of a construction contract with Alpha Paving Industries LLC was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

17. Authorize negotiation and execution of a professional services agreement with the following two staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP312: HDR Engineering, Inc. and POWER Engineers, Inc., for engineering services for the Austin Energy Staff Augmentation Engineering and Related Engineering Services for the Electric System Engineering and Technical Services Rotation List in an amount not to exceed \$25,875,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) with HDR Engineering, Inc. meeting the goals of 15.80% MBE and 15.80% WBE participation and POWER Engineers, Inc. achieving Good Faith Efforts with 13.90% MBE and 15.80% WBE participation.] Strategic Outcome(s): Safety; Government That Works for All
The motion authorizing the negotiation and execution of a professional services agreement with HDR Engineering, Inc. and POWER Engineers, Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
18. Approve a resolution consenting to the annexation by Travis County Water Control and Improvement District No. 10 of 36 properties totaling approximately 115.4 acres currently served by the Camelot Water Supply Corporation, located south of Barton Creek Road off of Canyon Rim Drive, Whippoorwill Trail, Lancelot Way, Cabin Road, and Guinevere Street (Extraterritorial jurisdiction, near Council District 8). This property is located in the Barton Creek Watershed. Strategic Outcome(s): Government that Works for All.
Resolution No. 20210304-018 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
19. Authorize negotiation and execution of a contract with El Buen Samaritano to fund and administer a program to provide rental assistance to income-eligible households economically impacted by the COVID-19 pandemic, for a term of one year in an amount not to exceed \$1,470,207.00. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion authorizing the negotiation and execution of a contract with El Buen Samaritano was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
20. Authorize negotiation and execution of a 12-month contract with HousingWorks Austin to perform work related to research, data collection, reporting and engagement initiatives in an amount not to exceed \$100,000.00. Strategic Outcome(s): Economic Opportunity and Affordability.

The motion authorizing the negotiation and execution of a 12-month contract with HousingWorks Austin was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

21. Approve an ordinance amending the Fiscal Year 2020-2021 Housing and Planning Department Operating Budget (Ordinance No. 20200812-001) to accept and appropriate \$1,515,678 in grant funds from the United States. Department of Housing and Urban Development, through the Texas Department of Housing and Community Affairs, for the Emergency Rental Assistance Program to provide financial assistance to income-eligible households economically impacted by COVID-19. Strategic Outcome(s): Economic Opportunity and Affordability.
Ordinance No. 20210304-021 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
22. Approve an ordinance amending the Fiscal Year 2020-2021 Housing and Planning Department Operating Budget (Ordinance No. 20200812-001) to increase appropriations by \$12,350,000 in the Housing Trust Fund, reduce the Housing Trust Fund ending balance by the same amount, and transfer in and appropriate \$12,350,000 to the Housing and Planning Department Capital Budget (Ordinance No. 20200812-001) from the Housing Trust Fund for the housing and community development purposes of the Housing Trust Fund. Strategic Outcome(s): Economic Opportunity and Affordability.
Ordinance No. 20210304-022 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
23. Authorize negotiation and execution of a 12-month contract with PeopleFund to fund the administration of the Micro Enterprise Loans program to provide displacement prevention funding to support small businesses at risk of displacement, for a total contract amount not to exceed \$150,000. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion authorizing the negotiation and execution of a 12-month contract with PeopleFund was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 10-1 vote. Council Member Kelly voted nay.
24. Approve second and third readings of an ordinance granting additional floor-to-area entitlements to the project at 82 and 84 North IH-35 Service Road Southbound in accordance with the Downtown Density Bonus Program under City Code Section 25-2-586 (B)(6). District(s) Affected: District 9. Strategic Outcome(s): Economic Opportunity and Affordability.
The item was postponed to March 25, 2021 on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
25. Authorize negotiation and execution of an amendment to the legal services agreement with Joanna Lippman Salinas with Fletcher Farley Shipman and Salinas for legal services related to Cates v. City of Austin et al, Cause No. 1:20-cv-1258-RP in the United States District Court for the Western District of Texas in an amount of \$103,000 for a total contract amount not to exceed \$113,000. Strategic Outcome(s): Government That Works for All.
The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Joanna Lippman Salinas with Fletcher Farley Shipman and Salinas was

approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

26. Authorize negotiation and execution of an amendment to the legal services agreement with the Law Offices of Charles Frigerio, PC for legal services related to Justin Scott v. City of Austin et al, Cause No. 1:16-cv-1287-RP in the United States District Court for the Western District of Texas in an amount of \$53,550 for a total contract amount not to exceed \$86,000. Strategic Outcome(s): Government That Works For All.

The motion authorizing the negotiation and execution of an amendment to the legal services agreement with the Law Offices of Charles Frigerio, PC was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

27. Authorize negotiation and execution of an amendment to the legal services agreement with Wright and Greenhill, PC for representation related to Athige Denzil DeSilva et al v. City of Austin et al, Cause No. 1:20-cv-00129-RP in the United States District Court for the Western District of Texas in an amount of \$120,500 for a total contract amount not to exceed \$160,500. Strategic Outcome(s): Government That Works For All.

The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Wright and Greenhill, PC was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

28. Approve an ordinance amending Ordinance No. 20210209-004 ordering a special municipal election regarding a criminal offense and a penalty for camping in public areas without a permit, certain types of solicitation, and sitting, lying, or sleeping outdoors in certain public areas; and declaring an emergency. Strategic Outcome(s): Government that Works for All.

The item was withdrawn.

29. Approve a settlement in Wells v. City of Austin, et al, Cause No. 1:19-cv-1140, In the United States Federal District Court, Western Division, Austin Texas. Strategic Outcome(s): Government That Works For All.

The motion to settle the above referenced lawsuit, by the City paying \$75,000 to Wells v. City of Austin, et al, Cause No. 1:19-cv-1140, was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

30. Approve an ordinance waiving permitting and development fees related to repairing or reconstructing multi-family structures, and removing trees and tree limbs damaged as a result of winter weather events; and declaring an emergency. Strategic Outcome(s): Government That Works For All.

Ordinance No. 20210304-030 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

31. Authorize negotiation and execution of an interlocal agreement with the Austin Transit Partnership to provide funding for the City of Austin Project Connect Office, in support of Project Connect. Related to Item #32. Strategic Outcome(s): Mobility.

The motion authorizing the negotiation and execution of an interlocal agreement with the Austin Transit Partnership was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

32. Approve an ordinance amending the Fiscal Year 2020-2021 Management Services Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$400,000 from the Austin Transit Partnership and increase the number of authorized positions by four in support of the creation and establishment of the City's Project Connect Office, related to support and coordination of Project Connect. Related to Item #31. Strategic Outcome(s): Mobility.

Ordinance No. 20210304-032 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

33. Approve an ordinance amending the Fiscal Year 2020-2021 Management Services Department's Equity Office Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$75,000 from Living Cities to build on the work already underway, including but not limited to competency building for staff so that a racial equity analysis is applied to all of the City's work. Strategic Outcome(s): Economic Opportunity and Affordability.

Ordinance No. 20210304-033 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

34. Approve an ordinance creating temporary navigation control zones on Lake Austin during the PGA Tour World Golf Championships-Dell Technologies Match Play event, and creating an offense. District(s) Affected: District 10. Strategic Outcome(s): Safety

Ordinance No. 20210304-034 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

35. Authorize negotiation and execution of an educational affiliation agreement with the University of Texas at Austin to permit the Austin Police Department Victims Service Division to accept social work interns from the University of Texas at Austin School of Social Work. Related to Item# 36. Strategic Outcome(s): Safety

The motion authorizing the negotiation and execution of an educational affiliation agreement with the University of Texas at Austin was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

36. Authorize negotiation and execution of an educational program agreement with the University of Texas at Austin to permit the Austin Police Department Victims Services Division to accept social work interns from the University of Texas at Austin School of Social Work. Related to item# 35. Strategic Outcome(s): Safety

The motion authorizing the negotiation and execution of an educational program agreement with the University of Texas at Austin was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

37. Authorize negotiation and execution of an interlocal agreement with Del Valle Independent School District to provide space on school premises for healthy adolescent services for high

school students and their families for a 12-month term with four additional 12-month renewal options with each party providing in-kind services. Strategic Outcome(s): Health and Environment, Economic Opportunity.

The motion authorizing the negotiation and execution of an interlocal agreement with Del Valle Independent School District was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 10-1 vote. Council Member Kelly voted nay.

38. Authorize negotiation and execution of Amendment No. 1 to an agreement with Family Eldercare, Inc. to provide mobile hygiene services to people experiencing homelessness in the Austin/Travis County area to extend the term of the agreement through September 30, 2021 and add one-time funding in an amount not to exceed \$287,300, for a revised total agreement amount not to exceed \$574,600. Strategic Outcome(s): Economic Opportunity and Affordability.
The motion authorizing the negotiation and execution of Amendment No. 1 to an agreement with Family Eldercare, Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
39. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$265,628 in grant funds from the Texas Department of State Health Services for the Immunization Outreach Grant Program to increase and enhance logistical and clinical support for the immunization program in its goal to prevent the spread of the COVID-19 virus within Travis County. Strategic Outcome(s): Health and Environment.
Ordinance No. 20210304-039 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

Item 40 was pulled for discussion

41. Authorize negotiation and execution of an Advance Funding Agreement with Travis County for the relocation and adjustment of existing water lines and appurtenances in conflict with the Travis County Old Manor Road Project in the amount of \$682,295.00 plus a 10% contingency of \$68,229.50 for a total amount not to exceed \$750,524.50. Strategic Outcome(s): Mobility.
The motion authorizing the negotiation and execution of an Advance Funding Agreement with Travis County was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
42. Authorize amendments to the existing contracts to provide continued security guard services, with Champion National Security, Inc.; Securitas Security Services USA Inc.; and Whelan Security Co.; for an increase in the amount of \$5,750,000, and to exercise the last one-year extension options, for revised contract amounts not to exceed \$23,902,042, divided among the contractors. (Note: These contracts were reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this contract, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Safety.

The motion authorizing amendments to the existing contracts with Champion National Security, Inc.; Securitas Security Services USA Inc.; and Whelan Security Co. and to exercise the last one-year extension options was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

Direction was given to Staff to include funding in this year's budget to support these positions.

43. Authorize amendments to the existing contracts with American Facilities Services, Inc. and BHW Operating Company LP, for continued custodial services, for an increase in the amount of \$1,800,000, and to extend the terms by two years, for revised contract amounts not to exceed \$4,700,000, divided between the contractors. (Note: These contracts were reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for these contracts, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Safety.

The motion authorizing amendments to the existing contracts with American Facilities Services, Inc. and BHW Operating Company LP and to extend the terms by two years was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote

Direction was given to Staff to: include funding in this year's budget to support these positions; report back by May to a council committee outlining the phased approach for custodial staff.

44. Authorize negotiation and execution of a cooperative contract with Freeit Data Solutions, Inc., for information technology professional services for the Advanced Distribution Management System and Supervisory Control and Data Acquisition Energy Management System, for a term of five years in an amount not to exceed \$750,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All.

The motion authorizing the negotiation and execution of a cooperative contract with Freeit Data Solutions, Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

45. Authorize an amendment to an existing cooperative contract with Insight Public Sector Inc. D/B/A Insight Public Sector, to continue the Adobe Enterprise License Agreement and related services, for an increase in the amount of \$1,300,000 and to extend the term by three years, for a revised total contract amount not to exceed \$1,741,563. (Note: This amendment was reviewed for

subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this amendment, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All.

The motion authorizing an amendment to an existing cooperative contract with Insight Public Sector Inc. doing business as Insight Public Sector and to extend the term by three years was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

46. Authorize award of eight contracts for COVID-19 temperature screening services, with InGenesis, Inc.; Arch Staffing and Consulting, LLC; Donald L Mooney Enterprises, LLC; Acadia Workforce Inc.; Protouch Nurses, Inc.; Ascend National LLC; Capitol Medical Service, LLC; and First Medical Response of Texas Inc., each for a term of six months or until the contract amounts are expended, in an amount not to exceed \$3,700,000, divided among the contractors. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government that Works for All; Health and Environment; Safety.

The motion authorizing the award of eight contracts for COVID-19 temperature screening services, with InGenesis, Inc.; Arch Staffing and Consulting, LLC; Donald L Mooney Enterprises, LLC; Acadia Workforce Inc.; Protouch Nurses, Inc.; Ascend National LLC; Capitol Medical Service, LLC; and First Medical Response of Texas Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

47. Authorize award of a contract with Paradigm Traffic Systems, Inc. D/B/A Paradigm Traffic Systems, to provide radar detection, for a term of five years in an amount not to exceed \$10,125,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Mobility.

The motion authorizing the award of a contract with Paradigm Traffic Systems, Inc. doing business as Paradigm Traffic Systems was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

48. Authorize negotiation and execution of a cooperative contract with TechCenter Design Inc. (WBE), to provide specialized services and installation of equipment to improve four control rooms, in the amount of \$738,619. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government that Works for All; Safety.

The motion authorizing the negotiation and execution of a cooperative contract with TechCenter Design Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

49. Ratify a contract with Workplace Resource LLC D/B/A Workplace Resource, to provide COVID-19 pandemic office upgrades for the Austin Public Health Department, Environmental Health Services Division's public facing offices, in the amount of \$76,786. (Note: This contract is exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting opportunities). Strategic Outcome(s): Safety; Government that Works for All; Health and Environment.

The motion ratifying a contract with Workplace Resource LLC doing business as Workplace Resource was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 10-1 vote. Council Member Kelly voted nay.

50. Authorize negotiation and execution of a contract with RecordPoint Software USA LLC, to provide a Records365 enterprise electronic records management software solution, for a term of five years for a total contract amount not to exceed \$1,551,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All.

The motion authorizing the negotiation and execution of a contract with RecordPoint Software USA, LLC was approved on consent Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

51. Authorize an amendment to an existing contract with SuccessFactors, Inc., to provide a continued subscription for talent, performance, and learning management software, for an increase in the amount of \$315,000 and to extend the term by one year, for a revised total contract amount not to exceed \$2,921,702. (Note: This contract was awarded as a sole source and is exempt from City Code Chapter 2-9C Minority Owned and Woman Owned Business Enterprise Procurement program). Strategic Outcome(s): Government That Works for All.

The motion authorizing an amendment to an existing contract with SuccessFactors, Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

52. Authorize negotiation and execution of a contract with Huber Technology Inc., for grit washing equipment, in an amount not to exceed \$261,544. (Note: Sole source contracts are exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established). Strategic Outcome(s): Health and Environment; Safety.

The motion authorizing the negotiation and execution of a contract with Huber Technology Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

53. Authorize award of a multi-term contract with Pencco, Inc., to provide liquid ferrous chloride and ferric chloride, for up to five years for a total contract amount not to exceed \$831,055. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Health and Environment.
The motion authorizing the award of a multi-term contract with Pencco, Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
54. Authorize award of three multi-term contracts for three phase distribution padmount transformers, with KBS Electrical Distributors Inc.; WESCO Distribution, Inc. D/B/A Hi-Line Utility Supply Co, LLC aka Power Supply; and Techline Inc., each for up to five years for total contract amounts not to exceed \$56,875,000, divided among the contractors. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All.
The motion authorizing the award of three multi-term contracts with KBS Electrical Distributors Inc.; WESCO Distribution, Inc., doing business as Hi-Line Utility Supply Co, LLC also known as Power Supply; and Techline Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
55. Authorize award of a contract with Texas Electric Cooperatives, to provide coupling capacitor voltage transformers, for a term of five years for a total contract amount not to exceed \$585,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All.
The motion authorizing the award of a contract with Texas Electric Cooperatives was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
56. Authorize award of a contract with Techline Inc., to provide substation circuit breakers, in an amount not to exceed \$300,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Safety; Government That Works for All.
The motion authorizing the award of a contract with Techline Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

57. Authorize award of a multi-term contract with Lauren Concrete Inc., for ready-mix concrete, for up to five years for a total contract amount not to exceed \$8,700,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government That Works for All. **The motion authorizing the award of a multi-term contract with Lauren Concrete Inc. was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.**
58. Authorize award of a contract with Expert Relocation Services, LLC, to provide citywide moving and relocation services, for a term of two years for a total contract amount not to exceed \$3,057,400. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). Strategic Outcome(s): Government that Works for All. **The motion authorizing the award of a contract with Expert Relocation Services, LLC was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.**
59. Authorize award of a multi-term contract with Enterprise Professional Services, Inc. D/B/A EPSI, to provide cleanup services for lands, creeks, electric utility distribution and transmission sites, and related infrastructures, for up to five years for a total contract amount not to exceed \$1,232,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established. However, the recommended contractor identified subcontracting opportunities). Strategic Outcome(s): Health and Environment; Safety. **The motion authorizing the award of a multi-term contract with Enterprise Professional Services, Inc., doing business as EPSI, was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.**
60. Approve a resolution declaring the City's official intent to reimburse itself from proceeds of general obligation bonds to be issued for transportation and mobility-related expenditures related to the general obligation bonds projects approved by the voters in 2020 in the total amount of \$460,000,000. Related to Items #61 and #62. Strategic Outcome(s): Mobility; Safety **Resolution No. 20210304-060 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.**
61. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Transportation Department Capital Budget (Ordinance No. 20200812-001) to increase appropriations by \$239,000,000; and amending the Fiscal Year 2020-2021 Public Works Department Capital Budget (Ordinance No. 202000812-001) to increase appropriations by \$221,000,000, to design, construct and reconstruct

sidewalks, urban trails, bikeways, bridges, roads, streets, intersections, and related utility and drainage infrastructure for roads and streets; improving traffic signal synchronization, communications and control systems and acquiring and installing traffic signals and related technology to implement traffic safety and traffic fatality reduction strategies. Related to Items #60 and #62. Strategic Outcome(s): Mobility; Safety

Ordinance No. 20210304-061 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

Item 62 was pulled for discussion

63. Authorize negotiation and execution of an interlocal agreement with the Central Texas Regional Mobility Authority for construction of a streambank stabilization project in Boggy Creek that will control channel erosion and protect a portion of the Southern Walnut Creek Trail. Related to Item #64. District(s) Affected: District 1, District 3. Strategic Outcome(s): Mobility; Safety; Government that Works for All.

The motion authorizing the award and execution of an interlocal agreement with the Central Texas Regional Mobility Authority was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

64. Approve a resolution authorizing the negotiation and execution of a Multiple Use Agreement with the Texas Department of Transportation (TxDOT) for construction of a streambank stabilization project within TxDOT's right-of-way at US Hwy 183 where the highway crosses Boggy Creek. Related to Item# 63. District(s) Affected: District 1, District 3. Strategic Outcome(s): Mobility; Safety; Government that Works for All..

Resolution No. 20210304-064 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

65. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies, and to public facility corporations; removal and replacement of members; and amendments to board and commission bylaws.

The following appointments and waivers were approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote:

Nominations

Board/Nominee

Nominated by

Animal Advisory Commission

Edward Flores

Council Member Casar

Animal Advisory Commission

Yolanda Rodriguez-Pacheco

Council Member Fuentes

Animal Advisory Commission

Lotta Smagula

Mayor Pro Tem Harper-Madison

Asian American Quality of Life Advisory Commission

Molly Wang

Council Member Fuentes

Board of Adjustment

Thomas Ates

Mayor Pro Tem Harper-Madison

Bond Oversight Commission

Francoise Luca

Council Member Pool

Bond Oversight Commission

Michael Drohan

Council Member Fuentes

Building and Fire Code Board of Appeals

Aubrey Brasfield

Council Member Fuentes

Code and Ordinances Joint Committee

Jolene Kiolbassa

Zoning and Platting Commission

Commission for Women

Hemali Patel

Council Member Fuentes

Commission for Women

Amanda Lewis

Council Member Casar

Commission on Immigrant Affairs

Adrian De La Rosa

Council Member Fuentes

Commission on Veterans Affairs

Kevin Lenau

Council Member Alter

Commission on Seniors

Billy Jackson

Council Member Fuentes

Community Technology and Telecommunications Commission

Iliya Svirsky

Council Member Kelly

Community Technology and Telecommunications Commission

Steven Apodaca

Council Member Fuentes

Comprehensive Plan Joint Committee

Cesar Acosta

Zoning and Platting Joint Committee

Design Commission

Martha Gonzalez

Council Member Fuentes

Downtown Commission

Laura Templeton

Council Member Kelly

Downtown Commission

Preston Reine

Council Member Fuentes

Early Childhood Council

Matthew Worthington

Council Member Fuentes

Economic Prosperity Commission

Kirsha Haverlah

Council Member Fuentes

Electric Board

Gabriel Flores

Council Member Fuentes

Electric Utility Commission

Randall Chapman

Council Member Pool

Environmental Commission

Richard Brimer

Council Member Alter

Environmental Commission

Jennifer Bristol

Council Member Pool

Hispanic/Latino Quality of Life Advisory Commission

Amanda Afifi

Council Member Fuentes

Human Rights Commission

Isabel Casas

Council Member Fuentes

Human Rights Commission

Malenie Areche

Council Member Kitchen

Mechanical and Plumbing Board

Joseph Hernandez

Council Member Fuentes

Music Commission

Nagavalli Medicharla

Council Member Kelly

Public Safety Commission

Prince U Enyioha

Mayor Pro Tem Harper-Madison

Public Safety Commission

John Kiracofe

Council Member Kelly

Public Safety Commission

Amanda Lewis

Council Member Casar

Planning Commission

Jennifer Mushtaler

Council Member Kelly

Planning Commission

Grayson Cox

Council Member Alter

Planning Commission

Solveji Rosa Praxis

Council Member Fuentes

Resource Management Commission
Kaiba White
Council Member Fuentes

Robert Mueller Municipal Airport Plan Implementation Advisory Board
Michael Jones
Council Member Fuentes

Small Area Planning Joint Committee
Timothy Bray
Zoning and Platting Commission

South Central Waterfront Advisory Board
Heidi Andeson
Trails Foundation Rep.

South Central Waterfront Advisory Board
Jeffrey Thompson
Planning Commission Rep.

South Central Waterfront Advisory Board
Thomas Groce
South River City Neighborhood Association

Tourism Commission
Ken Smith
Council Member Kelly

Urban Transportation Commission
Nathan Ryan
Council Member Fuentes

Zero Waste Advisory Commission
Melissa Rothrock
Council Member Fuentes

Reappointments

Airport Advisory Commission
Frank Maldonado
Council Member Casar

Board of Adjustment
Rahm McDaniel
Council Member Casar

Board of Adjustment
Jessica Cohen
Council Member Renteria

Board of Adjustment
Darryl Pruet
Council Member Ellis

Building and Standards Commission
Wordy Thompson
Council Member Renteria

Building and Standards Commission
John Green
Council Member Casar

Community Technology and Telecommunications Commission
David Alexander
Council Member Casar

Design Commission

Joshua Meiners	Council Member Casar
 <u>Economic Prosperity Commission</u>	
Ivanna Neri	Council Member Casar
 <u>Electric Utility Commission</u>	
Marty Hopkins	Council Member Casar
 <u>Ethics Review Commission</u>	
Luis Soberon	Council Member Casar
 <u>Hispanic/Latino Quality of Life Advisory Commission</u>	
Zaira Garcia	Council Member Casar
 <u>Lesbian Gay Bisexual Transgender and Queer Quality of Life Advisory Commission</u>	
Holly Kirby	Council Member Casar
 <u>Music Commission</u>	
Gavin Garcia	Council Member Casar
 <u>Parks and Recreation Board</u>	
Romteen Farasat	Council Member Casar
 <u>Planning Commission</u>	
Patrick Howard	Mayor Pro Tem Harper-Madison
 <u>Planning Commission</u>	
Joao Paulo Connolly	Council Member Casar
 <u>Planning Commission</u>	
Robert Schneider	Council Member Kitchen
 <u>Robert Mueller Municipal Airport Plan Implementation Advisory Commission</u>	
Martin Luecke	Council Member Casar
 <u>Robert Mueller Municipal Airport Plan Implementation Advisory Commission</u>	
Corky Hilliard	Council Member Pool
 <u>Tourism Commission</u>	
Rachel Magee	Council Member Casar
 <u>Tourism Commission</u>	
Michael Cannatti	Council Member Alter
 <u>Urban Transportation Commission</u>	
Susan Somers	Council Member Casar
 <u>Water and Wastewater Commission</u>	
Chien Lee	Council Member Casar
 <u>Zoning and Platting Commission</u>	

Cesar Acosta

Council Member Casar

Waivers

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Yolanda Rodriguez-Pacheco on the Animal Advisory Commission.

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Francoise Luca. The waiver allows simultaneous service on the Parks and Recreation Board and Board Oversight Commission.

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Amanda Lewis. The waiver allows simultaneous service on the Public Safety Commission and Commission for Women.

Updates to Council Committee Membership

Mayor Adler	Public Safety Committee
Mayor Pro Tem Harper-Madison	Mobility Committee

66. Approve a resolution directing the City Manager to draft an ordinance for Council consideration waiving up to \$23,000 in fees for the installation of 46 lampposts along Congress Avenue from Riverside to 11th Street by the Downtown Austin Alliance Foundation in March 2021. Council Sponsors: Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Vanessa Fuentes, Mayor Pro Tem Natasha Harper-Madison, Mayor Steve Adler.
Resolution No. 20210304-066 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
67. Approve a resolution acknowledging the City's role in disenfranchising Black Austinites through past discrimination, urban renewal policies, and the 1928 Master Plan and directing the City Manager to analyze and report on the economic and other harms caused by such programs and policies and to provide a planning scope, process and funding recommendations for the creation of a Black resource and cultural center. Council Sponsors: Mayor Pro Tem Natasha Harper-Madison, Mayor Steve Adler, Council Member Vanessa Fuentes, Council Member Kathie Tovo, Council Member Gregorio Casar.
Resolution No. 20210304-067 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

Item 68 was pulled for discussion

69. Set a public hearing related to an application by Agave East Apartments, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Agave East Apartments, located west of the intersection of McAngus Road and Elroy Road, within the City's limited purpose jurisdiction.

(Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701). District(s) Affected: District 2. Strategic Outcome(s): Economic Opportunity and Affordability.

The public hearing was set for Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

70. Set a public hearing related to an application by Cypress Creek Howard Lane, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Cypress Creek Apartment Homes at Howard Lane, located at or near the intersection of N. Lamar Boulevard & W. Howard Lane, within the City. (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. Second Street, Austin, Texas). District(s) Affected: District 7. Strategic Outcome(s): Economic Opportunity and Affordability.

The public hearing was set for Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

71. Set a public hearing related to an application by AMTEX Multi-Housing LLC, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Decker Lake Apartments, located at or near 6200 Blue Bluff Road, Austin, Texas 78724, within the City's extraterritorial jurisdiction. (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. Second Street, Austin, Texas). Strategic Outcome(s): Economic Opportunity and Affordability.

The public hearing was set for Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

72. Set a public hearing related to an application by El Prado at Estancia Ltd., or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as El Prado at Estancia, located at or near the intersection of Estancia Parkway and Avenida Mercado Street, Austin, TX, 78652, within the City's limited purpose jurisdiction. (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701). District(s) Affected: District 5. Strategic Outcome(s): Economic Opportunity and Affordability.

The public hearing was set for Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

73. Set a public hearing related to an application by LDG Kingswood, LP, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Kingswood, located at or near 13411 FM Road 812, Austin, TX 78617 within the City's extraterritorial jurisdiction. (Suggested date: Thursday, March 25, 2021 Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701). Strategic Outcome(s): Economic Opportunity and Affordability.

The public hearing was set for Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

74. Set a public hearing related to an application by AMTEX Multi-Housing LLC, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Manor Apartments, located at 6705 Manor Road, Austin, Texas 78723, within the City. (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas). District(s) Affected: District 1. Strategic Outcome(s): Economic Opportunity and Affordability.
The public hearing was set for Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
75. Set a public hearing related to an application by AGC RBJ II, LLC, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as The Rebekah, located at or near 1320 Art Dilly Drive, Austin, Texas, 78702, within the City. (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas 78701). District(s) Affected: District 3. Strategic Outcome(s): Economic Opportunity and Affordability.
The public hearing was set for Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
76. Set a public hearing to consider an ordinance granting additional floor-to-area ratio entitlements to the project at 90 and 92 Rainey Street in accordance with the Downtown Density Bonus Program under City Code Section 25-2-586(B)(6). (Suggested date: Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas). Strategic Outcome(s): Government that Works for All
The public hearing was set for Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
77. Set a public hearing to consider an ordinance on first reading regarding the application submitted by Viking Enterprises, Inc., d/b/a City Ambulance Service, for a non-emergency medical transfer franchise under Chapter 10-2 of the City Code. (Suggested date and time: April 8, 2021, Austin City Hall, 301 W. Second Street, Austin, TX.). Strategic Outcome(s): Safety.
The public hearing was set for Thursday, March 25, 2021, Austin City Hall, 301 W. 2nd Street, Austin, Texas on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.
99. Approve an ordinance amending Ordinance No. 20201210-054 to extend the applicability period and expiration date in Ordinance No. 20200326-090, which relates to requiring notices of proposed eviction; and declaring an emergency. Council Sponsors: Council Member Gregorio Casar, Mayor Steve Adler, Council Member Kathie Tovo, Council Member Ann Kitchen.

Ordinance No. 20210304-099 was approved on consent on Council Member Alter's motion, Mayor Pro Tem Harper-Madison's second on a 11-0 vote.

CITIZEN COMMUNICATIONS

Prabhakaran Arcot Kumaravel – Eviction Moratorium – **Present**

Ethan Smith – 1) Outside music permit waivers for SXSW due to COVID 2) continued conversation about Student Housing / Brack Tract – **Present**

Gavino Fernandez – Terrazas Library Homeless camp nuisance. Please remove for our safety! - **Not Present**

Haseeb Abdullah – General – **Present**

Erik McCowan - The City of Austin's carbon neutral – **Present**

Jim Rose – A proposed solar farm in Rosanky in southern Bastrop County – **Present**

Gustavo Calderon – TBD – **Not Present**

Matt Goodman - lack of preparation for the winter weather crisis (Feb 2021) and long-term effects on residents and their families. – **Present**

Ruben Rivera-Clemente Sr. – Policing – **Present**

Sandra Pardo – Financial Plan – **Present**

DISCUSSION ITEMS

2. Approve an ordinance amending City Code Chapter 3-2 (Restrictions on Animals) adding a new Section 3-2-8 relating to the Training and Control of Animals; creating an offense; and establishing an affirmative defense. Strategic Outcome(s): Health and Environment.
The item was postponed on Council Member Tovo's motion, Council Member Kelly's second on a 9-0 vote. Council Members Alter and Renteria were off the dais.

Mayor Adler recessed the Council meeting at 12:40 p.m.

Mayor Adler reconvened the Council Meeting at 2:04 p.m.

ZONING ORDINANCES / RESTRICTIVE COVENANTS

87. C14-2020-0116 - 10304 Old San Antonio Road - Approve second and third readings of an ordinance amending City Code Title 25 by zoning property locally known as 10304 Old San Antonio Road (Slaughter Creek Watershed). Applicant's Request: To zone from interim-rural

residence (I-RR) district zoning to multifamily residence-low density (MF-2) district zoning. First Reading approved on January 27, 2021. Vote: 10-0, Council Member Casar was off the dais. Owners/Applicants: Bernadette M. Rainosek, Frank A. Miller, and Walter John Miller. Agent: McLean & Howard, LLP (Jeffrey S. Howard). City Staff: Wendy Rhoades, Housing and Planning Department, 512-974-7719. District(s) Affected: District 5.

Ordinance No. 20210304-087 for multifamily residence-low density (MF-2) district zoning was approved on second reading only on Council Member Ellis's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the dais.

Direction was given to Staff to provide a legal mechanism that captures the commitment of the applicant for sidewalk and other pedestrian improvements by third reading.

88. NPA-2017-0021.01- 4530 E. Ben White Blvd - Approve second and third readings of an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 4530 East Ben White Boulevard (Country Club Creek Watershed) from single family to commercial land use, as amended on June 23, 2020. First Reading approved commercial land use on July 30, 2020. Vote 11-0. Owner/Applicant: 4539 East Ben White Associates, LLC (Trevor Belton). Agent: Coats Rose, P.C. (John M. Joseph). City Staff: Maureen Meredith, Housing and Planning Dept. (512) 974-2695. District(s) Affected: District 3.

Ordinance No. 20210304-088 to change the future land use designation on the future land use map (FLUM) to commercial land use, as amended was approved on Council Member Ellis's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the dais.

89. C14-2019-0167 - 4530 E. Ben White Blvd - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4530 East Ben White Boulevard (Country Club West Watershed). Applicant Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, as amended. First Reading approved general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning on July 30, 2020. Vote 11-0. Owner: 4539 East Ben White Associates LLC (Trevor Belton). Applicant: Coats Rose (John Joseph). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 3.

Ordinance No. 20210304-089 for general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, as amended was approved on Council Member Ellis's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the dais.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

90. C14-2009-0151(RCA3) - Shoal Creek Walk - Conduct a public hearing and approve a restrictive covenant amendment on property locally known as 835 West 6th Street (Shoal Creek Watershed).

Staff Recommendation and Planning Commission Recommendation: To grant an amendment to the restrictive covenant. Owner and Applicant: Shoal Creek Walk, LTD., (Richard W. Duggan III). Applicant: Armbrust and Brown, PLLC, (Amanda Surman). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve the restrictive covenant amendment was approved on Council Member Ellis's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the dais.

91. C14-2020-0154 - Domain Retail District 1, Block Z - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11700 Rock Rose Avenue; and 3200, 3212 ½, and 3250 Palm Way; and 11701 ½, 11703 ½, 11711, 11711 ½, 11811, and 11811 ½ Domain Drive (Walnut Creek Watershed). Applicant Request: To zone from major industry-planned development area (MI-PDA) combining district zoning to major industry-planned development area (MI-PDA) combining district, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant major industry-planned development area (MI-PDA) combining district zoning, to change a condition of zoning. Owner/Applicant: Domain Northside Retail Property Owner L.P. Agent: Armbrust & Brown, PLLC (Walter W. Cardwell, IV). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210304-091 for major industry-planned development area (MI-PDA) combining district, to change a condition of zoning was approved on Council Member Ellis's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the dais.

92. C14-2020-0139 - Cullen and Ralph Ablanado - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8811 Cullen Lane and 203 Ralph Ablanado Drive (Onion Creek Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay (CS-CO) combining district zoning and community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Owner: Rhodes #4 LLC (Gary Rhodes); Chris E. Clearman. Agent: Drenner Group PC (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210304-092 for community commercial-mixed use (GR-MU) combining district zoning was approved on Council Member Ellis's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the dais.

93. C14-2020-0091 - Johnny Morris Road Light Industrial -Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6215 ½ Johnny Morris Road (Walnut Creek Watershed). Applicant Request: To rezone from limited industrial services-conditional overlay (LI-CO) combining district zoning and warehouse/limited office-conditional overlay (W/LO-CO) combining district zoning to community commercial-mixed use-

conditional overlay (GR-MU-CO) combining district zoning, as amended. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial services-conditional overlay (LI-CO) combining district zoning (prior to applicant's amended request). Owner/Applicant: Texas Coldworks, LLC (Christian Garces). Agent: Kimley-Horn (Harrison M. Hudson, P.E.). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 1. The public hearing was conducted and a motion to close the public hearing and approve **Ordinance No. 20210304-093 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning, as amended was approved on first reading only on Council Member Ellis's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the dais.**

Item 94 was pulled for discussion

95. C14-2020-0110 12212 Tech Ridge Blvd - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12212 & 12316 Tech Ridge Boulevard and 211 & 201½ Canyon Ridge Drive (Walnut Creek Watershed). Applicant Request: To rezone from community commercial (GR) district zoning, limited industrial services (LI) district zoning, and rural residence (RR) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Owner/Applicant: Tech Ridge Phase IV, LP. Agent: Drenner Group PC (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 7. **The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210304-095 for community commercial-mixed use (GR-MU) combining district zoning was approved on Council Member Ellis's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the dais.**
96. NPA-2020-0027.01 -Twin Liquors-Maudie's - Conduct a public hearing and approve an ordinance amending Ordinance No. 20100923-102 the Central West Austin 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 2602, 2604, 2606, 2608, and 2610 W. 7th Street; and 701 and 703 Newman Drive. (Johnson Creek Watershed) from Neighborhood Commercial to Commercial land use. Staff Recommendation and Planning Commission Recommendation: To grant Commercial land use. Owner/Applicant: TASC Properties, LP (Tracy S. Livingston). Agent: Thrower Design (A. Ron Thrower and Victoria Haase). City Staff: Maureen Meredith, Housing and Planning Department, (512) 974-2695. District(s) Affected: District 10. **The item was postponed to March 25, 2021 at the request of Staff on Council Member Ellis's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the dais.**
97. C14-2020-0024 -Twin Liquors-Maudies Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2604, 2608, and 2610 West 7th Street (Johnson Creek Watershed). Applicant's Request: To rezone from commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning to general

commercial services-neighborhood plan (CS-NP) combining district zoning for Tract 1 and from general commercial services-neighborhood plan (CS-NP) combining district to commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning for Tract 2. Staff

Recommendation: To grant general commercial services-neighborhood plan (CS-NP) combining district zoning for Tract 1 and commercial-liquor sales-neighborhood plan (CS-1-NP) combining district for Tract 2. Planning Commission Recommendation: To be reviewed on March 9, 2021. Owner/Applicant: TASC Properties, LP (Tracy S. Livingston). Agent: Thrower Design (A. Ron Thrower). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 10.

The public hearing was conducted and a motion to close the public hearing and approve

The item was postponed to March 25, 2021 at the request of Staff on Council Member Ellis's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the dais.

98. C14-2020-0134 - 6311 South 1st Street - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6311 South 1st Street (Williamson Creek Watershed). Applicant's Request: To rezone from community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-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-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Owner: ND South First LP (Haythem Dawlett). Agent: Drenner Group PC (Leah M. Bojo). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.
- The item was postponed to March 25, 2021 at the request of Council Member Fuentes on Council Member Ellis's motion, Council Member Kitchen's second on a 10-0 vote. Mayor Pro Tem Harper-Madison was off the dais.**

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS DISCUSSION

94. C14-2020-0112 - Delta Kappa Gamma Society International - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 416 West 12th Street (Shoal Creek Watershed). Applicant's Request: To rezone from general office (GO) district zoning to downtown mixed use (DMU) district zoning. Staff Recommendation: To grant downtown mixed use-conditional overlay (DMU-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use (DMU) district zoning. Owner/Applicant: The Delta Kappa Gamma Society International (Nita Scott). Agent: Armbrust & Brown, PLLC (Michael J. Whellan, Michael J. Gaudini). City Staff: Mark Graham, 512-974-3574. District(s) Affected: District 9.
- The item was postponed to March 25, 2021 on Council Member Pool's motion, Council Member Kitchen's second on a 6-2 vote. Those voting aye were: Mayor Adler, Council Members Alter, Fuentes, Kelly, Kitchen, and Pool. Those voting nay were: Council Members Casar and Ellis. Council Member Tovo recused herself. Council Member Renteria abstained. Mayor Pro Tem Harper-Madison was off the dais.**

DISCUSSION ITEMS

40. Authorize negotiation and execution of Amendment No. 1 to the agreement with Jane's Due Process to provide logistical support services for abortion access to add one-time funding in an amount not to exceed \$100,000 and two 12-month extension options each in an amount not to exceed \$150,000, for a revised total agreement amount not to exceed \$550,000. Strategic Outcome(s): Health and Environment and Government That Works for All.
The motion authorizing the negotiation and execution of Amendment No. 1 to the agreement with Jane's Due Process was approved on Council Member Ellis's motion, Council Member Renteria's second on a 9-1 vote. Council Member Kelly voted nay. Mayor Pro Tem Harper-Madison was off the dais.
62. Approve an ordinance amending the Fiscal Year 2020-2021 Austin Transportation Department Operating Budget (Ordinance No. 20200812-001) to increase appropriations by \$215,941 and to increase the number of authorized staff positions by 27 full-time equivalents to support the 2020 General Obligation Transportation and Mobility Bonds; and amending the Public Works Department Operating Budget (Ordinance No. 20200812-001) to increase appropriations by \$439,081 and to increase the number of authorized staff positions by eight full-time equivalents to support the 2020 General Obligation Transportation and Mobility Bonds. Related to Items #60 and #61. Strategic Outcome(s): Mobility; Safety
Ordinance No. 20210304-062 was approved on Council Member Ellis's motion, Council Member Kitchen's second on a 9-0 vote. Mayor Adler and Mayor Pro Tem Harper-Madison were off the dais.

PUBLIC HEARINGS

79. Conduct a public hearing and consider an amendment to Ordinance No. 20191114-068 to recognize other local incentives and economic development tools available to qualifying enterprise zone projects.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210304-079 was approved on Council Member Casar's motion, Council Member Kelly's second on a 9-0 vote. Mayor Adler and Mayor Pro Tem Harper-Madison were off the dais.
80. Conduct a public hearing and approve an ordinance adopting temporary reductions to retail water rates, authorizing the director of Austin Water to temporarily use historical average customer water use for determining retail customer bills following the recent February 2021 winter storm, exclude water use caused by the effects of the February 2021 winter storm from retail wastewater averaging calculations, administratively adjust water bills for retail customers who sustained leaking or burst pipes or otherwise sustained unusually high water bills due to the recent February 2021 winter storm, waiving the emergency water service repair cut off/on fee, and declaring an emergency.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20210304-080 was approved on Council Member Kitchen's motion, Council

Member Renteria's second on a 9-0 vote. Mayor Adler and Mayor Pro Tem Harper-Madison were off the dais.

Council Member Alter announced Council would go into Executive Session to discuss Item 68.

Council Member Alter recessed the Council Meeting to go into Executive Session at 3:26 p.m.

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.

68. Approve a resolution consenting to a proposed borrowing transaction by Austin Convention Enterprises, Inc. under the terms of the federal Paycheck Protection Program. Council Sponsors: Council Member Gregorio Casar, Mayor Steve Adler, Council Member Alison Alter, Council Member Sabino 'Pio' Renteria.

Conducted

Mayor Adler reconvened the Council Meeting at 4:23 p.m.

DISCUSSION ITEMS CONTINUED

68. Approve a resolution consenting to a proposed borrowing transaction by Austin Convention Enterprises, Inc. under the terms of the federal Paycheck Protection Program. Council Sponsors: Council Member Gregorio Casar, Mayor Steve Adler, Council Member Alison Alter, Council Member Sabino 'Pio' Renteria.

A motion to approve the resolution was made by Council Member Renteria and seconded by Council Member Ellis.

An amendment was made by Council Member Kitchen and seconded by Council Member Kelly. The amendment was to revise the last Be It Resolved clause to read: "The Council consents to the proposed PPP loan transaction as requested by the ACE Board in its February 26, 2021 letter to the Council, with the maximum amount allowable being spent to support front-line workers in accordance with the bond indenture." The amendment was accepted without objection.

Resolution No. 20210304-068 was approved as amended above on Council Member Renteria's motion, Council Member Ellis's second on an 11-0 vote.

Mayor Adler recessed the Council Meeting to go into Executive Session at 4:55 p.m.

EXECUTIVE SESSION CONTINUED

81. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
Withdrawn
82. Discuss legal issues involved with lawsuits and claims related to Austin Police Department during the protests that occurred on May 30 and 31, 2020 (Private consultation with legal counsel - Section 551.071 of the Government Code).
Withdrawn
83. Deliberate the duties, assignments, and performance of the City Clerk (Personnel matters - Section 551.074 of the Government Code).
Conducted
84. Deliberate the duties, assignments, and performance of the City Auditor (Personnel matters - Section 551.074 of the Government Code).
Conducted
85. Deliberate the duties, assignments, and performance of the Municipal Court Clerk (Personnel matters - Section 551.074 of the Government Code).
Conducted
86. Deliberate the duties, assignments, and performance of the City Manager (Personnel matters - Section 551.074 of the Government Code).
Conducted

Mayor Adler adjourned the Council meeting at 5:48 p.m. without objection.

The minutes were approved on this the 25th day of March 2021 on Council Member Alter's motion, Council Member Ellis' second on an 11-0 vote.

Exhibit F

Affidavit Regarding Notice

[See attached]

STATE OF TEXAS

§
§
§

COUNTY OF TRAVIS

AFFIDAVIT OF GREG MESZAROS

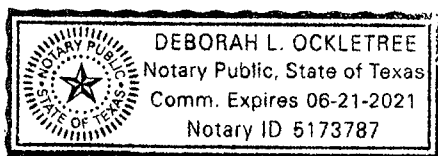
BEFORE ME, the undersigned authority, on this day personally appeared GREG MESZAROS, who, after being by me duly sworn, on this oath stated as follows.


1. "My name is Greg Meszaros. I am the Austin Water Director of the City of Austin, Texas ("City"). I am over the age of 18 years, of sound mind, and am capable of making this Affidavit. The facts stated in this Affidavit are within my personal knowledge and are true and correct.
2. On March 4, 2021, the Austin City Council approved negotiation and execution of a Water Service Area Transfer Agreement ("Service Area Contract") between Forest Oaks Mobile Homes, LLC (Forest Oaks) and the City, to be established pursuant to Texas Water Code 13.248 and 16 Texas Administrative Code 24.253, transferring certain parcels of land ("Transfer Area") from Forest Oaks' water CCN No. 12086 to the City's water CCN No. 11322.
3. The Austin City Council's approval of the negotiation and execution of this Service Area Contract, at a public meeting on March 4, 2021, constitutes effective notice provided in accordance with 16 Texas Administrative Code 24.253(c)(2).
4. The Transfer Area identified in the Service Area Contract is the same property that is the subject of the "Petition of the City of Austin and Forest Oaks for Approval of a Service Area Contract under Texas Water Code § 13.248 and to Amend Certificates of Convenience and Necessity in Travis County" to the Texas Public Utility Commission of which this Affidavit is part ("Petition").
5. The City supports the Petition. Further Affiant sayeth not."



GREG MESZAROS
AUSTIN WATER DIRECTOR, CITY OF AUSTIN

SUBSCRIBED AND SWORN TO BEFORE ME by Greg Meszaros, Austin Water Director of the City of Austin, Texas on this 8th day of April, 2021.





Notary Public in and for the State of Texas
My Commission Expires: 6/21/2021

Interchange Filer

Filing Submitted

Next Steps:

Step 1: Electronic Filing Complete

Step 2: Email the Attachments Described Below

YOU HAVE COMPLETED THE ELECTRONIC PORTION OF YOUR FILING, HOWEVER, IN ORDER FOR THE PUC TO BE ABLE TO PROCESS YOUR FILING, YOU MUST SUBMIT THE FOLLOWING INFORMATION TO THE CENTRAL RECORDS EMAIL (centralRecords@puc.texas.gov (<mailto:CentralRecords@puc.texas.gov>)):

1. AN ATTACHMENT OF THE FILING TO BE PRINTED BY CR STAFF
2. AN ATTACHMENT OF THE GENERATED TRACKING NUMBER SHEET

WE APPRECIATE YOUR COOPERATION AND PATIENCE DURING THIS TIME.

Central Records: (512) 936-7180

Tracking Number: VEAFFARXT

Filing
Submitted
on **4/8/2021 3:36:30 PM**

Control
Number *A new control number was requested.*

Filing Party Smith Jolin LLP

Filing Type Unknown

Description CCN Water Service Area Transfer Agreement between the City of Austin and Forest Oaks Mobile Homes, LLC

Documents	Water Service Area Transfer Agmt Between COA and Forest Oaks.pdf
Addendum Included	No
Submitted By	Christopher Smith 901 S MOPAC EXPRESSWAY BUILDING 1, SUITE 300 AUSTIN, TX 78746 (512) 659-6912 chris.smith@smithjolin.com (mailto:chris.smith@smithjolin.com)

An email confirmation has been sent to chris.smith@smithjolin.com. Please check your spam/junk folders.

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