Fix Mueller Landscaping: evidence packet

Put together by Mueller residents

November 20, 2026

fixmuellerlandscaping.com

> We describe what the photos show and what public records say. We are asking for an inspection, not asserting a final conclusion.

Photographs are located by block, not by house number. The records are public, and each page says where its document comes from.

Exhibit	What it is	Page
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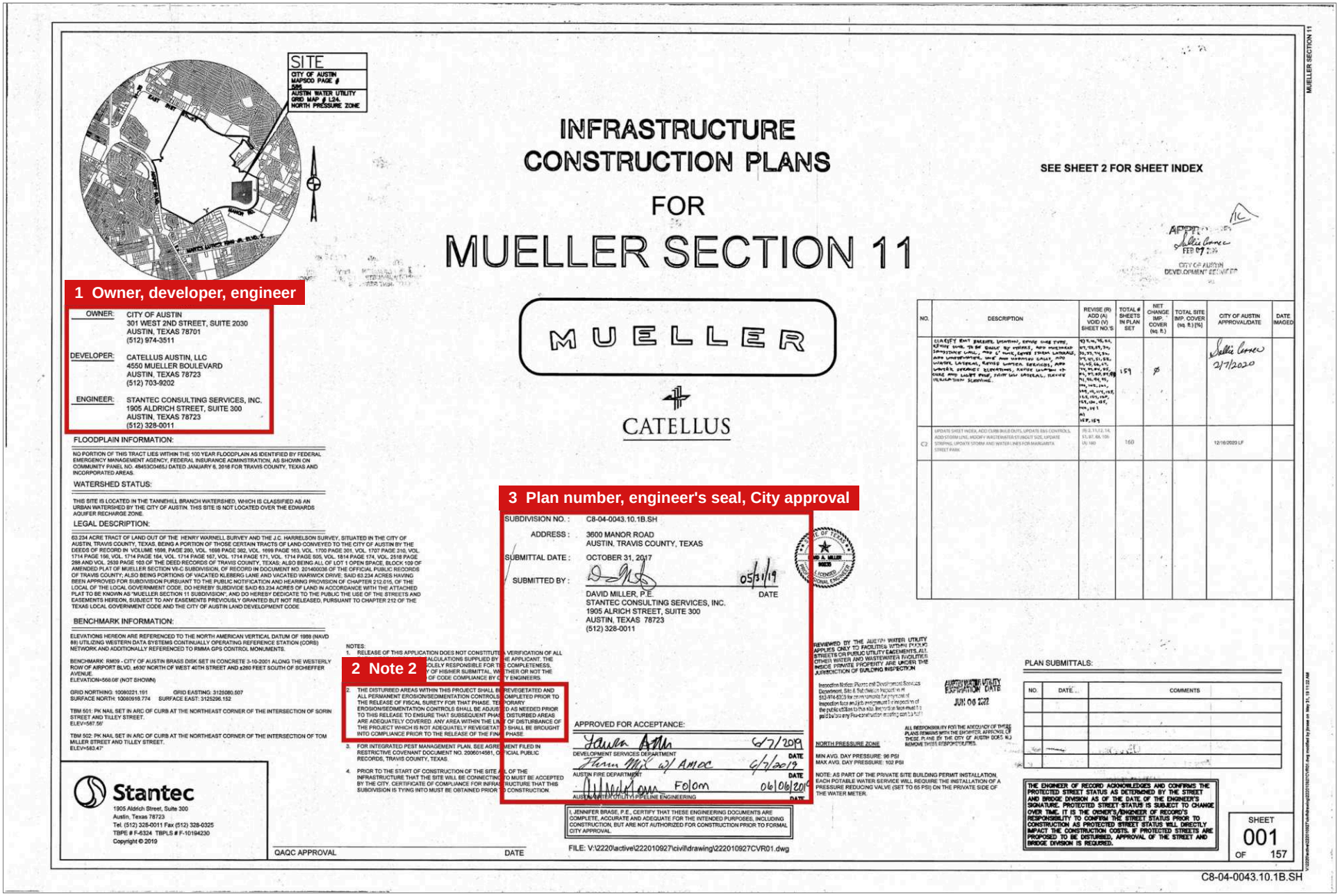
EXHIBIT 1 Summary: what the approved plan requires, and what is in the ground

Mueller Section 11, Austin, Texas. Each row names the exhibit that shows it. Quotations are copied from the documents; the highlighted originals follow.

Subject	What is required	What is in the ground	See
Topsoil depth	*"All disturbed areas to be revegetated are required to place a minimum of six (6) inches of topsoil [see Standard Specification Item No. 601S.3(A)]."* City-approved Infrastructure Construction Plans for Mueller Section 11, No. C8-04-0043.10.1B.SH, Sheet 003, Note 9A.	Sod and irrigation line lie directly on gray and tan clay. Where the ground is open there is no dark topsoil layer to be seen.	**Ex. 2B** **Ex. 3** **Ex. 4**
Topsoil quality	*"Topsoil mix shall be composed of 4 parts of soil mixed with 1 part compost … free of trash, weeds, deleterious materials, rocks and debris … a black or dark brown loamy material … Organic matter percentage shall be at least 5.0%."* City of Austin Standard Specification 601S.3.A.1.	Soil taken from the ground on the 3100 block of Schutze St is pale tan clay that molds like putty and fizzes in vinegar. A home test kit read nitrogen and phosphorus depleted and pH 7.5 or higher. Cracked clay and debris at the surface elsewhere.	**Ex. 3** **Ex. 4** **Ex. 11**
Grass cover	*"…a minimum of 95 percent … coverage … uniformly vegetated, and provided there are no bare spots larger than 10 square feet."* Same plan, Sheet 003, Permanent Vegetative Stabilization Note D.	Bare and dead patches in the turf strips on several streets. A survey should measure them against this standard.	**Ex. 2B** **Ex. 4**
Finish before release	*"Any area within the limit of disturbance of the project which is not adequately revegetated shall be brought into compliance prior to the release of the final phase."* Same plan, cover sheet, Note 2 (release of fiscal surety).	Whether the City has released the developer's fiscal surety for Section 11 is a question for the City. Residents are asking for the answer in writing.	**Ex. 2A**
Irrigation line	Rain Bird marks only XFS and XFS-CV dripline for turf grass, and those are subsurface lines *"installed at a depth of 4"-6"."* XFD is an *"on-surface"* product: *"Use only XFS or XFS-CV dripline in subsurface applications."* State rule 30 TAC §344.62(l) requires piping to be installed to the manufacturer's depth.	The type of line is mixed. On the 3100 block of Sorin St one line is stamped "XFD 0.9GPH 12"" and "RAIN BIRD." Whatever the type, the lines photographed lie at the surface, under or through the sod, held by wire staples.	**Ex. 4** **Ex. 5**
City plumbing code	*"Irrigation for landscape must comply with the requirements in Chapter 344, Title 30 of the Texas Administrative Code …"* City of Austin Plumbing Code, Section 614.0 (Ordinance No. 20210603-057). Section 104.1.4 requires a plumbing permit first.	The lines photographed at the surface do not appear to meet the state depth rule, and through it the City's plumbing code. Whether that is a violation is for the City's inspectors or the TCEQ to decide.	**Ex. 5**
City permits	Common-area irrigation is built under City plumbing permits. The work is complete when the permit passes final inspection.	Of 15 common-area irrigation permits in Section 11, 13 expired with no final inspection.	**Ex. 7**
Who was to build it	The approved plan names the developer, **Catellus Austin, LLC**. Its development agreement with the City lists "street landscaping" as infrastructure the developer builds and requires it to "cause the contractor(s) to correct" defects. Inside the lot lines, the recorded covenant (§2.18) required the lot owner, which during construction was the **home builder**, to install the approved landscaping and front-yard irrigation before the certificate of occupancy.		**Ex. 2A** **Ex. 6** **Ex. 8**
Who maintains it	The **Association** (Mueller Master Community, Inc., the property owners' association, a different entity from the developer). The recorded covenant makes it responsible for "all aspects" of the irrigation and unfenced landscaping from house front to curb, and the owner for "none."		**Ex. 6**
Why now	City staff have asked the City Council to close the Mueller tax increment zone on **December 3, 2026**, saying all major infrastructure is complete and paid for, and to direct about **$58 million** of the balance to housing programs and a reserve. The City's agreement with Catellus ends December 31, 2027.		**Ex. 9**
Beyond Section 11	The turf in John Gaines Park and the Southeast Greenway shows the same conditions. Each park was built under its own plan set, and residents are asking to see those plans.		**Ex. 10**

What this packet does and does not claim. The plan notes in Exhibit 2 come from the City-approved infrastructure plan for Section 11, which covers the streets and public right-of-way, including the 6.5-foot landscape strip between curb and sidewalk (Exhibit 2C). Front yards inside the lot lines fall under the recorded covenant, the Mueller Design Book and state irrigation rules. The Association maintains both. The photographs show the surface on the dates given, and the soil test is a home kit on one sample. Neither is a soil survey. We are asking for an inspection, not asserting a final conclusion.

EXHIBIT 2A **The City-approved plan: cover sheet (Sheet 001), Infrastructure Construction Plans for Mueller Section 11**



Source: City of Austin, Subdivision No. C8-04-0043.10.1B.SH, Sheet 001 of 157. Red boxes added; each is enlarged on the next page.

EXHIBIT 2A Cover sheet, enlarged

The cover sheet identifies the plan, shows that the City approved it, and names the developer.

1 Developer of record: Catellus Austin, LLC

OWNER: CITY OF AUSTIN
301 WEST 2ND STREET, SUITE 2030
AUSTIN, TEXAS 78701
(512) 974-3511

DEVELOPER: CATELLUS AUSTIN, LLC
4550 MUELLER BOULEVARD
AUSTIN, TEXAS 78723
(512) 703-9202

ENGINEER: STANTEC CONSULTING SERVICES, INC.
1905 ALDRICH STREET, SUITE 300
AUSTIN, TEXAS 78723
(512) 328-0011

2 Note 2: revegetation must be complete before fiscal surety is released

NOTES:
1. RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED OF CODE COMPLIANCE BY CITY ENGINEERS.
2. THE DISTURBED AREAS WITHIN THIS PROJECT SHALL BE REVEGETATED AND ALL PERMANENT EROSION/SEDIMENTATION CONTROLS COMPLETED PRIOR TO THE RELEASE OF FISCAL SURETY FOR THAT PHASE. TEMPORARY EROSION/SEDIMENTATION CONTROLS SHALL BE ADJUSTED AS NEEDED PRIOR TO THIS RELEASE TO ENSURE THAT SUBSEQUENT PHASE DISTURBED AREAS ARE ADEQUATELY COVERED. ANY AREA WITHIN THE LIMIT OF DISTURBANCE OF THE PROJECT WHICH IS NOT ADEQUATELY REVEGETATED SHALL BE BROUGHT INTO COMPLIANCE PRIOR TO THE RELEASE OF THE FINAL PHASE.

3 Subdivision No. C8-04-0043.10.1B.SH. Sealed by the engineer 05/31/19. Approved for acceptance by the Development Services Department 6/7/2019.

SUBDIVISION NO. : C8-04-0043.10.1B.SH
ADDRESS : 3600 MANOR ROAD
AUSTIN, TRAVIS COUNTY, TEXAS
SUBMITTAL DATE : OCTOBER 31, 2017
SUBMITTED BY : 05/31/19
DAVID MILLER, P.E. DATE
STANTEC CONSULTING SERVICES, INC.
1905 ALRICH STREET, SUITE 300
AUSTIN, TEXAS 78723
(512) 328-0011

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APPROVED FOR ACCEPTANCE:
DEVELOPMENT SERVICES DEPARTMENT 6/7/2019 DATE
AUSTIN FIRE DEPARTMENT w/ AMOC 6/7/2019 DATE
AUSTIN WATER UTILITY, PIPELINE ENGINEERING Folom 06/06/2019 DATE

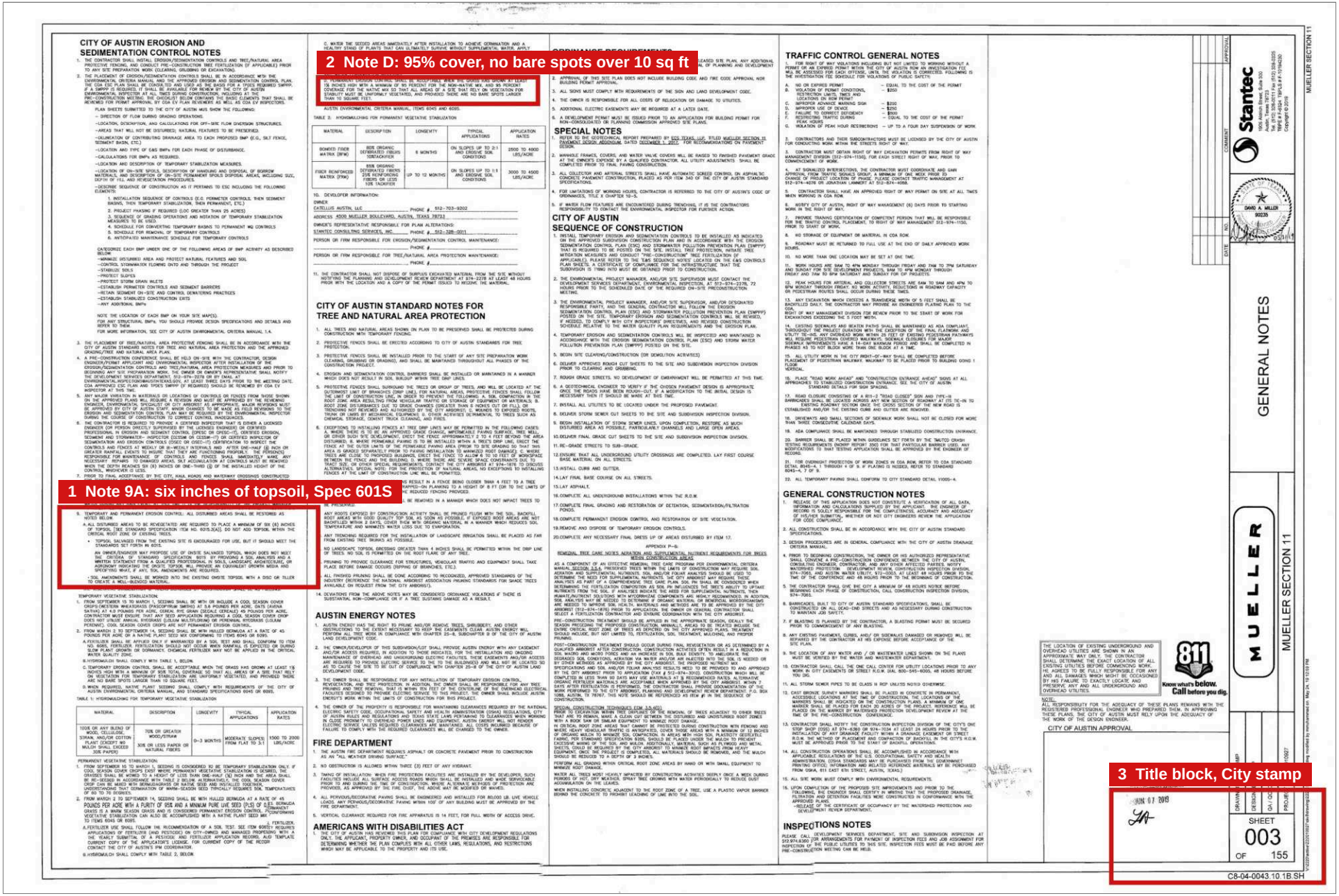
Plan title

INFRASTRUCTURE
CONSTRUCTION PLANS
FOR
MUELLER SECTION 11
MUELLER
CATELLUS

Source: same sheet. Yellow highlighting added. The revision block on the sheet also records a revision approved 2/7/2020 and a correction dated 12/16/2020.

EXHIBIT 2B

The City-approved plan: Sheet 003, General Notes. This is the page that requires 6 inches of topsoil under Spec 601S.



Source: City of Austin, Subdivision No. C8-04-0043.10.1B.SH, Sheet 003, "General Notes." Red boxes added; each is enlarged on the next page.

EXHIBIT 2B **Sheet 003, enlarged: the topsoil and grass-cover requirements**

1 **Erosion and Sedimentation Control Note 9A: a minimum of six inches of topsoil, to Standard Specification 601S**

9. TEMPORARY AND PERMANENT EROSION CONTROL: ALL DISTURBED AREAS SHALL BE RESTORED AS NOTED BELOW.

A. ALL DISTURBED AREAS TO BE REVEGETATED ARE REQUIRED TO PLACE A MINIMUM OF SIX (6) INCHES OF TOPSOIL [SEE STANDARD SPECIFICATION ITEM NO. 601S.3(A)]. DO NOT ADD TOPSOIL WITHIN THE CRITICAL ROOT ZONE OF EXISTING TREES.

- TOPSOIL SALVAGED FROM THE EXISTING SITE IS ENCOURAGED FOR USE, BUT IT SHOULD MEET THE STANDARDS SET FORTH IN 601S.

  AN OWNER/ENGINEER MAY PROPOSE USE OF ONSITE SALVAGED TOPSOIL WHICH DOES NOT MEET THE CRITERIA OF STANDARD SPECIFICATION 601S BY PROVIDING A SOIL ANALYSIS AND A WRITTEN STATEMENT FROM A QUALIFIED PROFESSIONAL IN SOILS, LANDSCAPE ARCHITECTURE, OR AGRONOMY INDICATING THE ONSITE TOPSOIL WILL PROVIDE AN EQUIVALENT GROWTH MEDIA AND SPECIFYING WHAT, IF ANY, SOIL AMENDMENTS ARE REQUIRED.

- SOIL AMENDMENTS SHALL BE WORKED INTO THE EXISTING ONSITE TOPSOIL WITH A DISC OR TILLER TO CREATE A WELL-BLENDED MATERIAL.

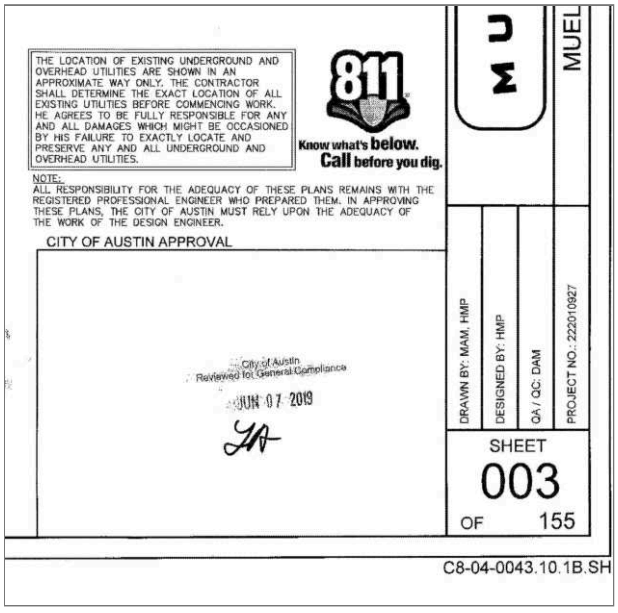
2 **Permanent Vegetative Stabilization Note D: 95 percent coverage, no bare spots larger than 10 square feet**

AND WATER CONSERVATION INITIATIVES.

D. PERMANENT EROSION CONTROL SHALL BE ACCEPTABLE WHEN THE GRASS HAS GROWN AT LEAST 1½ INCHES HIGH WITH A MINIMUM OF 95 PERCENT FOR THE NON-NATIVE MIX, AND 95 PERCENT COVERAGE FOR THE NATIVE MIX SO THAT ALL AREAS OF A SITE THAT RELY ON VEGETATION FOR STABILITY MUST BE UNIFORMLY VEGETATED, AND PROVIDED THERE ARE NO BARE SPOTS LARGER THAN 10 SQUARE FEET.

E. WHEN REQUIRED, NATIVE PLANT SEEDING SHALL COMPLY WITH REQUIREMENTS OF THE CITY OF AUSTIN ENVIRONMENTAL CRITERIA MANUAL, ITEMS 604S AND 609S.

3 **Title block with the City's review stamp, June 7, 2019**



Source: same sheet. Yellow highlighting added.

Same sheet, Note 10: "Developer Information"

10. DEVELOPER INFORMATION:

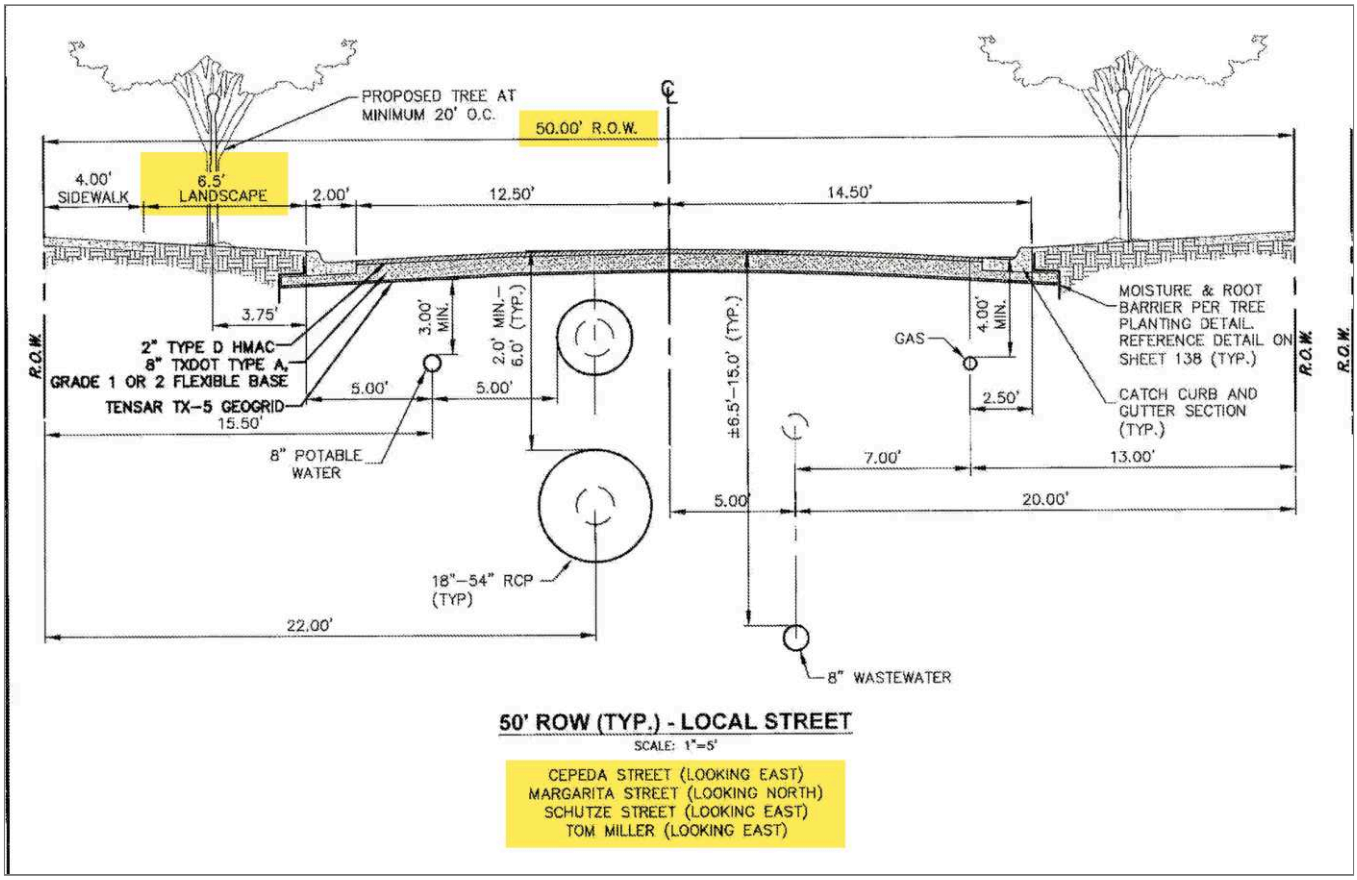
OWNER
CATELLUS AUSTIN, LLC PHONE # 512-703-9202
ADDRESS 4500 MUELLER BOULEVARD, AUSTIN, TEXAS 78723
OWNER'S REPRESENTATIVE RESPONSIBLE FOR PLAN ALTERATIONS:
STANTEC CONSULTING SERVICES, INC. PHONE # 512-328-0011
PERSON OR FIRM RESPONSIBLE FOR EROSION/SEDIMENTATION CONTROL MAINTENANCE:
PHONE #
PERSON OR FIRM RESPONSIBLE FOR TREE/NATURAL AREA PROTECTION MAINTENANCE:
PHONE #

11. THE CONTRACTOR SHALL NOT DISPOSE OF SURPLUS EXCAVATED MATERIAL FROM THE SITE WITHOUT NOTIFYING THE PLANNING AND DEVELOPMENT REVIEW DEPARTMENT AT 974-2278 AT LEAST 48 HOURS PRIOR WITH THE LOCATION AND A COPY OF THE PERMIT ISSUED TO RECEIVE THE MATERIAL.

Compare these two notes with the photographs in Exhibit 4. Note 9A allows salvaged site soil only if it meets Spec 601S, or if a qualified soils professional provides a soil analysis and a written statement that it is equivalent. If anyone relies on that exception, the analysis and the written statement should be on file, and residents are asking to see them.

EXHIBIT 2C — The City-approved plan: Sheet 010, Typical Street Sections. The landscape strip is inside the public right-of-way.

The 50-foot local street section for **Schutze Street** (also Cepeda, Margarita and Tom Miller) shows a **6.5-foot "landscape" strip** between the curb and the 4-foot sidewalk, with street trees, inside the 50-foot right-of-way. That strip is part of the work built under this plan, so Sheet 003's topsoil and grass-cover notes apply to it.



Source: City of Austin, Subdivision No. C8-04-0043.10.1B.SH, Sheet 010, "Typical Street Sections," enlarged. Yellow highlighting added.

Where that section sits on the sheet

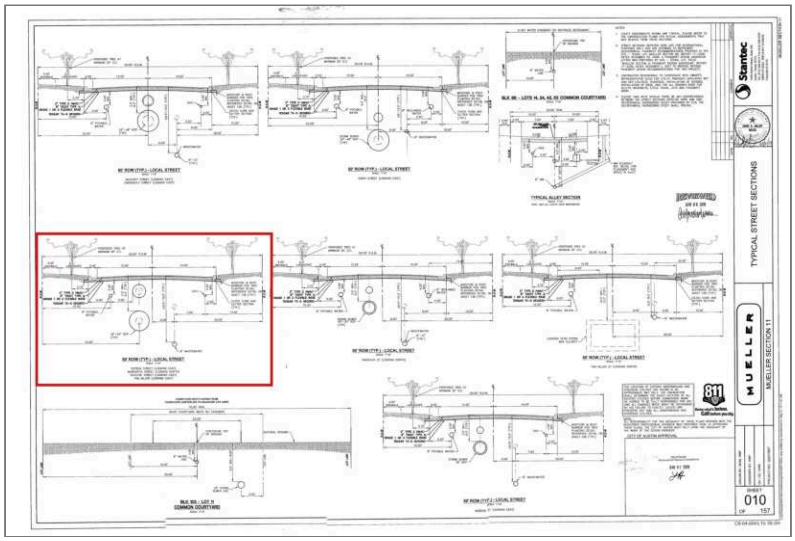


EXHIBIT 3

City of Austin Standard Specification Item No. 601S, Salvaging and Placing Topsoil

This is the specification that Sheet 003, Note 9A points to. It sets the depth (six inches) and the material: a 4-to-1 soil and compost mix, screened, free of rocks and debris, dark and loamy.

601S.3.A.1: what the topsoil has to be

SERIES 600 ENVIRONMENTAL ENHANCEMENT

1. Topsoil mix shall be composed of 4 parts of soil mixed with 1 part compost, by volume. The soil shall be locally available native soil that meets the following specifications:

   a) Shall be free of trash, weeds, deleterious materials, rocks and debris.

   b) 100% shall pass through a ⅜-inch (9.5 mm) screen.

   c) Soil to be a black or dark brown loamy material that meets the requirements of the table below in accordance with the USDA textural triangle. Soil known locally as "red death" is not an allowable soil. Textural composition shall meet the following criteria:

Textural Class	Minimum	Maximum
Clay	5%	50%
Silt	10%	50%
Sand	15%	67%

   d) Organic matter percentage shall be at least 5.0% after the addition of compost.

   e) Salinity shall be below 6.00 mmhos/cm.

   f) An owner/project designer(s) may propose use of onsite salvaged topsoil which does not meet the soil texture class required above by providing a soil analysis and a written statement from a qualified professional in soils, landscape architecture, or agronomy indicating the onsite topsoil will provide an equivalent growth media and specifying what, if any, soil amendments are required.

601S.3.A.2: how much

   e) Compost and other soil amendments shall be worked into the existing on-site topsoil with a disc or tiller to create a well-blended material.

2. All disturbed areas to be revegetated are required to provide a minimum of six (6) inches of topsoil. The topsoil shall be able to support the growth of planting (Standard Specification Item No. 608S), Seeding for Erosion Control (Standard Specification Item No. 604S), sodding (Standard Specification Item No. 602S) and Native Seeding and Planting for Restoration (Standard Specification Item No. 609S).

B. **Water.** Water shall be furnished by the Contractor and shall be clean and free from seed source, pesticide, fertilizer, industrial wastes and other objectionable matter.

Source: Rule No. R161-16.21, 11-14-16.

Source: City of Austin Standard Specifications Manual, Series 600, Item No. 601S (11-14-16), Rule No. R161-16.21, as published in the current manual (Supp. No. 4-2025), pages 2 and 3. Yellow highlighting added.

EXHIBIT 3 Spec 601S.2: the paperwork that should exist if the topsoil was placed

Before topsoil goes down, the specification requires soil test results and a sample submitted for approval. During construction it requires **delivery tickets** showing the source and quantity of imported topsoil, and an **inspection of each soil delivery** before placement. If six inches of conforming topsoil was placed in Section 11, these records exist. Residents are asking to see them.

SERIES 600 ENVIRONMENTAL ENHANCEMENT

ITEM NO. 601S SALVAGING AND PLACING TOPSOIL 11-14-16

601S.1 Description

This item shall govern the removal, storage and placement of approved on-site naturally occurring topsoil and topsoil mix (see 601S.3.A) to the depths and area shown on the Drawings or as directed by the Engineer or Landscape Architect.

This specification is applicable for projects or work involving either inch-pound or SI units. Within the text and accompanying tables, the inch-pound units are given preference followed by SI units shown within parentheses.

Source: Rule No. R161-16.21, 11-14-16.

601S.2 Submittals

A. Submittals required before construction:

1. Soil test results and soil classification necessary for approval of material as suitable topsoil. Soil test results should include, at minimum, texture; percentage organic matter (OM); salinity (soil salt) level; pH; and amounts of phosphorus (P), potassium (K), calcium (Ca), magnesium (Mg), nitrate-nitrogen (NO_3-N), and sulfate-sulfur (SO_4-S).
2. For topsoil mixes containing compost, the soil test for shall also include moisture content, C:N ratio and Solvita compost maturity index.
3. A sample (1-gallon) of proposed topsoil or topsoil mix shall be submitted to the Owner or their representative 30 calendar days before installation and be approved before installation. Sample should be labeled including type of material, specification number; name, address, and telephone number of manufacturer or supplier; and address of the location of the source or material stockpile.

B. Submittals/Inspection required during construction:

1. Delivery tickets indicating type/product name, source and quantities of imported topsoil mix or compost (for mixing with salvaged soil).
2. Deliveries of soil to a job site shall be inspected by the project Engineer or Landscape Architect or Owner's construction inspector before placement to verify product compliance with specification.

Source: Rule No. R161-16.21, 11-14-16.

Source: same manual, page 1. Yellow highlighting added.

EXHIBIT 4

Photographs, page 1 of 4: a line on the 3100 block of Sorin Street is Rain Bird XFD dripline

Close-ups of one line on the **3100 block of Sorin Street, May 11, 2026**. The markings read XFD 0.9GPH 12" , RAIN BIRD and 16JN23 , which appears to be a manufacturing date code (June 16, 2023). Exhibit 5 shows what the manufacturer says XFD is for. The dripline in Section 11 is not all one type. This is the location where the XFD stamp was read.



3100 block of Sorin St, May 11, 2026
The line as found: on top of the ground, on cracked gray clay, with dead turf around it.



Model marking
"XFD 0.9GPH 12"": XFD dripline, 0.9 gallons per hour emitters at 12-inch spacing.



Maker
"RAIN BIRD®" on the same line.



Date stamp
"16JN23 S10 07:20." A rusted wire staple holds the line at the surface.

Photographs by Mueller residents. Dates are from the image files. Close-ups are crops of the full photographs, not otherwise altered.

EXHIBIT 4 Photographs, page 2 of 4: dripline at the surface, under or through the sod

Rain Bird's guide calls for dripline under turf to be a subsurface model buried 4 to 6 inches (Exhibit 5). That depth applies to the turf-grade lines too, so the type of line does not change the result. On these four streets the line is at the surface, where mowers and trimmers reach it.



3600 block of Tom Miller St, May 23, 2026
Sod has pulled apart along the line. The dripline sits directly under the sod mat, on tan clay.



4200 block of Margarita St, June 13, 2026
The line stood above the soil surface here and was destroyed by lawn equipment. The broken end is at the fingertip.



3100 block of Sorin St, June 13, 2026
Dripline lying in cracked gray clay. No dark topsoil around or under the line.



3100 block of Schutze St, June 13, 2026
Dripline at the surface of a bare patch (center), between thin turf.

Photographs by Mueller residents. Dates are from the image files. The Margarita Street photograph is cropped to the ground.

EXHIBIT 4 Photographs, page 3 of 4: bare clay, thin turf, no topsoil layer to be seen

Compare with Sheet 003: six inches of topsoil (Note 9A), and 95 percent grass cover with no bare spots larger than 10 square feet (Note D).



3100 block of Schutze St, June 13, 2026
Bare patch beside the concrete: dead thatch on tan clay.



4200 block of Taniguchi St, June 13, 2026
Bare, cracked clay with ruts pressed into it. No turf.



3100 block of Schutze St, June 13, 2026
Thin turf with a bare seam down the middle, where the dripline shows at the surface.

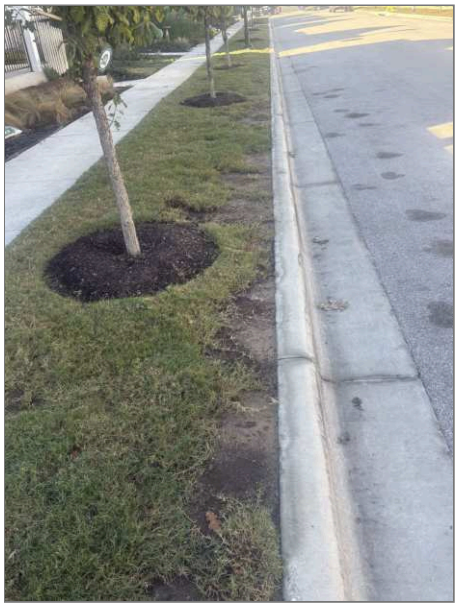


4100 block of Margarita St, June 13, 2026
Dripline exposed at the surface beside a limestone block, with bare soil around it.

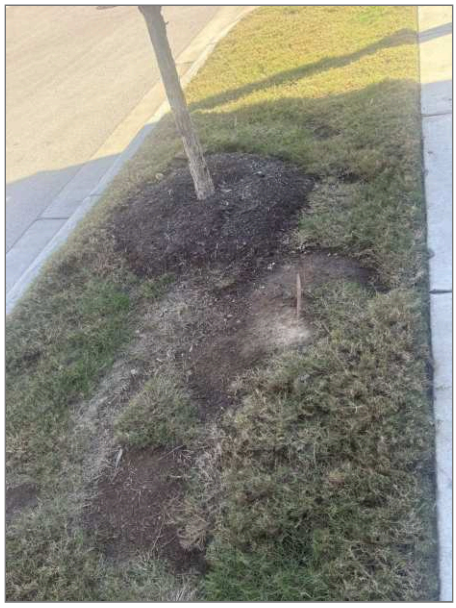
Photographs by Mueller residents. Dates are from the image files. These are a selection from more than 300 dated photographs.

EXHIBIT 4 Photographs, page 4 of 4: Schutze Street on November 20, 2026

Taken the day this packet was assembled, on the 3100 block of Schutze Street. The approved plan's standard is 95 percent grass cover with no bare spots larger than 10 square feet (Sheet 003, Note D, Exhibit 2B).



Schutze St, Nov. 20, 2026, 10:47 am
Landscape strip between sidewalk and curb. Bare soil along the curb and beside the tree rings.



Schutze St, Nov. 20, 2026, 10:48 am
The same strip, closer. Bare and dead patches in the turf. A brown line or stake stands up out of the bare ground (center).



Schutze St, alley side, Nov. 20, 2026, 10:48 am
Thin, patchy turf between the alley pavement and the planter.

Photographs by Mueller residents. Dates and times are from the image files. The third photograph is cropped to the ground.

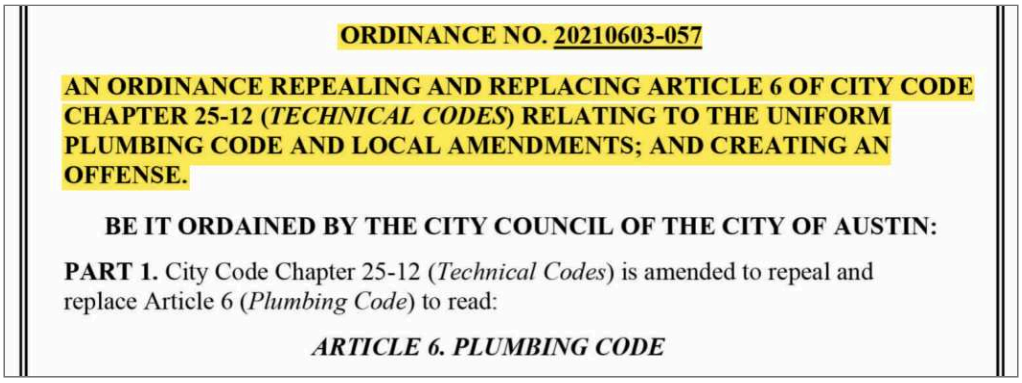
EXHIBIT 5 State irrigation rule and City plumbing code, page 1 of 2: the City's code points to the state rule

What it shows. The City's plumbing code requires landscape irrigation to comply with the state's irrigation rules. The state rule requires piping to be installed at the depth the manufacturer publishes. The manufacturer's published depth for dripline under grass is 4 to 6 inches.

1 City of Austin Plumbing Code, Section 614.0

City Code Chapter 25-12, Article 6. Ordinance No. 20210603-057, passed June 3, 2021, in effect September 1, 2021.

> "Irrigation for landscape must comply with the requirements in Chapter 344, Title 30 of the Texas Administrative Code; Sections 614.1 through 614.2 of this code; and requirements imposed by the Texas Commission on Environmental Quality."



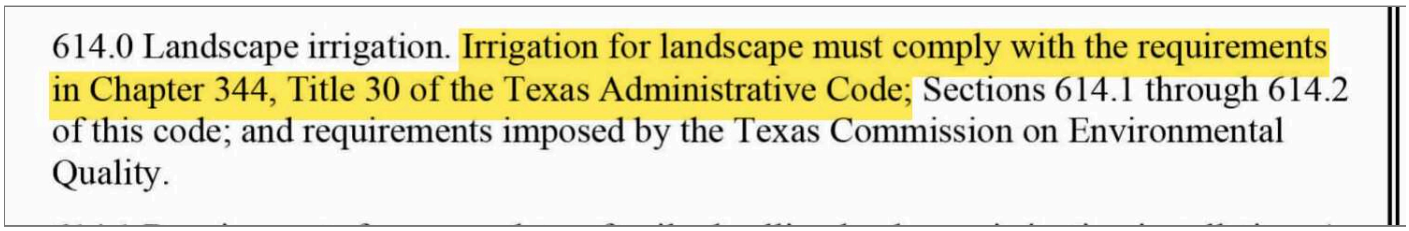
ORDINANCE NO. 20210603-057

AN ORDINANCE REPEALING AND REPLACING ARTICLE 6 OF CITY CODE CHAPTER 25-12 (*TECHNICAL CODES*) RELATING TO THE UNIFORM PLUMBING CODE AND LOCAL AMENDMENTS; AND CREATING AN OFFENSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Chapter 25-12 (*Technical Codes*) is amended to repeal and replace Article 6 (*Plumbing Code*) to read:

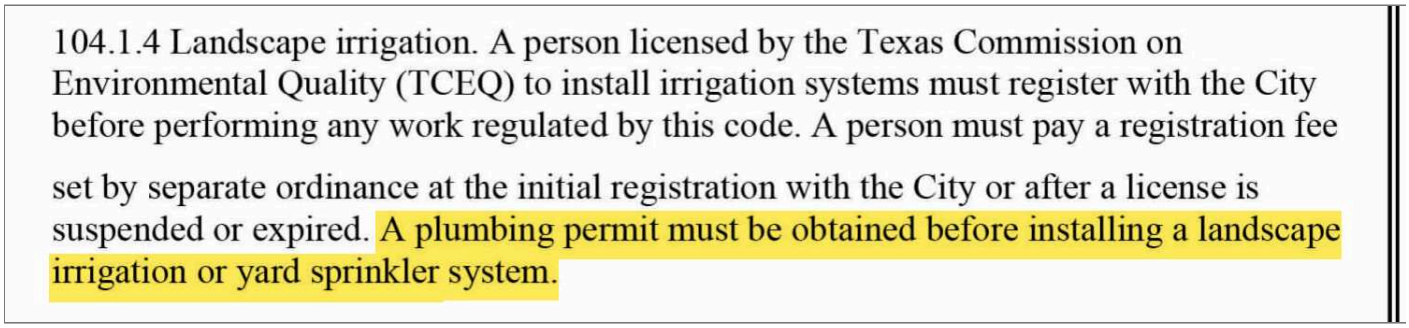
ARTICLE 6. PLUMBING CODE



614.0 Landscape irrigation. Irrigation for landscape must comply with the requirements in Chapter 344, Title 30 of the Texas Administrative Code; Sections 614.1 through 614.2 of this code; and requirements imposed by the Texas Commission on Environmental Quality.

2 Same ordinance, Section 104.1.4: a permit comes first

> "A plumbing permit must be obtained before installing a landscape irrigation or yard sprinkler system."



104.1.4 Landscape irrigation. A person licensed by the Texas Commission on Environmental Quality (TCEQ) to install irrigation systems must register with the City before performing any work regulated by this code. A person must pay a registration fee set by separate ordinance at the initial registration with the City or after a license is suspended or expired. A plumbing permit must be obtained before installing a landscape irrigation or yard sprinkler system.

Of the 15 common-area irrigation permits in Section 11, 13 expired without a final inspection (Exhibit 7). All 15 were issued between September 8, 2021 and November 28, 2023. This was the plumbing code in effect when these permits were issued.

Source: City of Austin record, https://services.austintexas.gov/edims/document.cfm?id=362898, pages 1, 2–3 and 17. Yellow highlighting added. Section 104.1.4 runs from page 2 onto page 3 of the ordinance, and the two parts are shown together.

EXHIBIT 5 State irrigation rule and City plumbing code, page 2 of 2: the state rule, the manufacturer's depth, and what is in the ground

3 The state rule: 30 Texas Administrative Code §344.62(l)

> "Piping in all irrigation systems must be installed according to the manufacturer's published specifications for depth coverage of piping."

Chapter 344 of Title 30 is the state's landscape irrigation chapter, the one Section 614.0 names.

4 The manufacturer's published instructions: Rain Bird XF Series dripline

> "XF Series Dripline is to be installed at a depth of 4"-6" (10.2-15.24 cm) in subsurface and groundcover applications. Use only XFS or XFS-CV dripline in subsurface applications."

XFD is an on-surface line that Rain Bird does not list for grass. In the guide's selection chart the XFD column is headed "On-Surface, Level Grade Installations," and the rows for Sub Surface Applications and Turf Grass are marked only for XFS-CV and XFS. The guide describes XFS as a "subsurface drip irrigation system for use under turf grass or shrub and groundcover areas." So under grass, even the turf-grade line belongs 4 to 6 inches down. The same note goes on: "XF Series Dripline may also be installed on-surface under mulch in shrub and groundcover applications." That is under mulch in planting beds, not under grass.

Source: Rain Bird, XF Series Dripline Design, Installation and Maintenance Guide, pages 13, 25 and 31.

5 What the photographs show

Dripline at the surface, under or through the sod (Exhibit 4). The type of line is mixed. XFD is confirmed only at one place, the 3100 block of Sorin St, where the stamp was read.



3100 block of Sorin St, May 11, 2026
The stamp reads "XFD 0.9GPH 12"."



3600 block of Tom Miller St, May 23, 2026
Line directly under the sod mat.



3100 block of Sorin St, June 13, 2026
Line lying in cracked clay.

Conclusion. The lines photographed at the surface do not appear to meet the state rule, and through it the City's plumbing code. Whether that is a violation is for the City's inspectors or the TCEQ to decide. We are asking for that inspection.

The plumbing code is separate from the approved construction plan. The plan (No. C8-04-0043.10.1B.SH) covers topsoil and grass cover; the plumbing code and the state rules cover the irrigation system. The permits connect the two: four of them describe the work as "on plan ID C8-04-0043.10.1B.SH" (Exhibit 7).

Photographs by a Mueller resident. Dates are from the image files.

EXHIBIT 6 Recorded covenant, Exhibit "A-1": the Association is responsible for "all aspects"

The Maintenance Responsibility Chart assigns **exterior landscaping not enclosed by private fencing** and the **irrigation system** to the Association for "All aspects" (maintenance, repair and replacement) and to the owner for "None."

EXHIBIT "A-1"

MAINTENANCE RESPONSIBILITY CHART

"All aspects" includes maintenance, repair, and replacement, as needed.

COMPONENT OF PROPERTY	ASSOCIATION RESPONSIBILITY	OWNER RESPONSIBILITY
Exterior Landscaping not enclosed by private fencing.	All aspects.	None.
Roofs and roof facilities.	All aspects.	None.
Exterior Building components, excluding glass and appurtenant hardware.	All aspects.	None.
Building Foundation.	All aspects.	None.
Irrigation System.	All aspects.	None.
Windows, doors, garage doors.	Occasional exterior painting of doors and garage doors.	All other aspects.
Exterior Landscaping enclosed by private fencing.	None.	All aspects.
Unit interior, including improvements, fixtures, partition walls and floors within Unit.	None.	All aspects.
Property insurance.	Property insurance on each Owner's Dwelling Unit, at a value to be determined from time to time by the Master Association.	As determined, from time to time by the Master Association; provided, however, that such insurance will not cover improvements and betterments installed by the Owner and will not cover personal property of an Owner or their guest or invitees.
Flatwork, including paved or concrete walkways, driveways, parking areas,	All aspects.	None.

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Source: Supplemental Covenant, Mueller Section 11B, 90' Row Houses Service Area 1, Official Public Records of Travis County, Document No. 2021254121, Exhibit "A-1." Yellow highlighting added.

EXHIBIT 6 — Recorded covenant, Exhibit "A": what the Association maintains, and to what standard

The "Maintained Area" runs **from the front façade of each residence to the curb**. The Association must keep the landscaping (¶e) and the irrigation system (¶f) "in good order and repair and in a safe, clean and attractive condition."

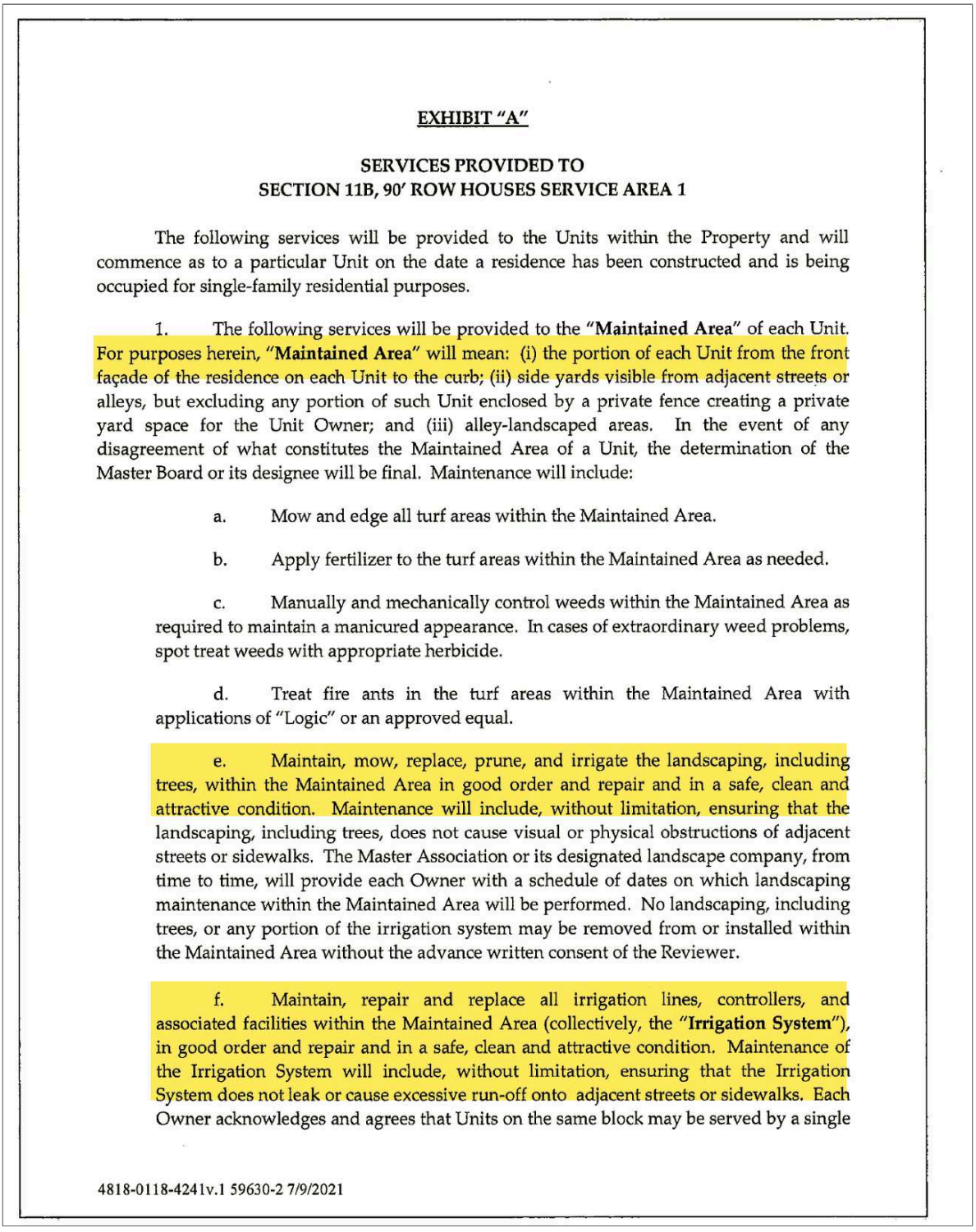


EXHIBIT "A"

SERVICES PROVIDED TO
SECTION 11B, 90′ ROW HOUSES SERVICE AREA 1

The following services will be provided to the Units within the Property and will commence as to a particular Unit on the date a residence has been constructed and is being occupied for single-family residential purposes.

1. The following services will be provided to the "**Maintained Area**" of each Unit. For purposes herein, "**Maintained Area**" will mean: (i) the portion of each Unit from the front façade of the residence on each Unit to the curb; (ii) side yards visible from adjacent streets or alleys, but excluding any portion of such Unit enclosed by a private fence creating a private yard space for the Unit Owner; and (iii) alley-landscaped areas. In the event of any disagreement of what constitutes the Maintained Area of a Unit, the determination of the Master Board or its designee will be final. Maintenance will include:

a. Mow and edge all turf areas within the Maintained Area.

b. Apply fertilizer to the turf areas within the Maintained Area as needed.

c. Manually and mechanically control weeds within the Maintained Area as required to maintain a manicured appearance. In cases of extraordinary weed problems, spot treat weeds with appropriate herbicide.

d. Treat fire ants in the turf areas within the Maintained Area with applications of "Logic" or an approved equal.

e. Maintain, mow, replace, prune, and irrigate the landscaping, including trees, within the Maintained Area in good order and repair and in a safe, clean and attractive condition. Maintenance will include, without limitation, ensuring that the landscaping, including trees, does not cause visual or physical obstructions of adjacent streets or sidewalks. The Master Association or its designated landscape company, from time to time, will provide each Owner with a schedule of dates on which landscaping maintenance within the Maintained Area will be performed. No landscaping, including trees, or any portion of the irrigation system may be removed from or installed within the Maintained Area without the advance written consent of the Reviewer.

f. Maintain, repair and replace all irrigation lines, controllers, and associated facilities within the Maintained Area (collectively, the "**Irrigation System**"), in good order and repair and in a safe, clean and attractive condition. Maintenance of the Irrigation System will include, without limitation, ensuring that the Irrigation System does not leak or cause excessive run-off onto adjacent streets or sidewalks. Each Owner acknowledges and agrees that Units on the same block may be served by a single

4818-0118-4241v.1 59630-2 7/9/2021

Source: same document, Exhibit "A," Services Provided to Section 11B, 90' Row Houses Service Area 1. Yellow highlighting added.

EXHIBIT 6 — Recorded covenant, Section 2.18: each lot owner installs the front-yard landscaping and irrigation before the certificate of occupancy

While a home is being built, the owner of the lot is the home builder. Section 2.18 requires each Owner to install the landscaping shown on plans approved by the Reviewer, and an automatic irrigation system for the front yard **at the Owner's sole cost**, before the certificate of occupancy. The system must comply with the Texas Water Code, the Texas Commission on Environmental Quality rules and City of Austin rules.

shall have the right to grant variances or adjustments to the maximum building height requirements set forth herein or in the Mueller Design Book.

2.18 Landscaping. Each Owner shall be required to install landscaping upon such Owner's Unit in accordance with landscaping plans approved in advance of installation by the Reviewer. Notwithstanding any provision in this Supplemental Covenant to the contrary, such landscaping plans must be approved by the Reviewer prior to occupancy of the single family residential structure located on the Unit to which such landscaping plans relate. All landscaping shown on the landscaping plans and specifications approved by the Reviewer shall be installed, and all such landscaping shall be completed, no later than the date the certificate of occupancy is issued for the Dwelling Unit on a particular Unit, unless approved in advance by the Reviewer. The Reviewer or its assigns shall be entitled to make recommendations with respect to tree disease control, whereupon the Owner or Owners to whom such recommendations are directed shall be obligated to comply with such recommendations, which may include, but not be limited to tree removal and replacement.

Unless approved in advance by the Reviewer, prior to the date the certificate of occupancy is issued for the Dwelling Unit on a particular Unit, each Owner will be responsible, at such Owner's sole cost and expense, for installing an automatic irrigation system on the Unit which serves the following areas of the Unit: (i) front yard, (ii) side yards visible from adjacent streets or alleys, including the landscaped side yards of Units, but excluding any landscaped area of a Unit enclosed by a private fence creating a private yard space for the Unit, and (iii) alley-landscaped areas (the "**Yard Landscape Area**"). Any dispute as to whether a side yard is visible from an adjacent street or alley or what constitutes a front yard, side yard or alley-landscaped area for purposes of this section shall be determined by the Reviewer, in its sole discretion. The automatic irrigation system must be approved in advance by the Reviewer or must comply with rules and regulations established by the Reviewer with respect to the location and installation of the irrigation system. The automatic irrigation system must also comply with all rules and regulations: (i) set forth in the Texas Water Code; (ii) adopted by the Texas Commission on Environmental Quality; and (iii) adopted by the City of Austin.

Source: same document, Section 2.18, covenant page 6. Recorded November 17, 2021. Yellow highlighting added.

Why it matters. For the front yards inside the lot lines, this clause points to the home builder, "unless approved in advance by the Reviewer." A search of City permit records found no irrigation permit for any Schutze Street or Sorin Street row-house lot in Block 93. The only irrigation permits on those two streets in the block are the expired common-area permits in Exhibit 7. So either the front-yard systems were installed without lot permits, or the Reviewer approved a shared system on the developer's common-area meters. The approved landscape and irrigation plans would show which. Residents are asking to see them.

EXHIBIT 7 City of Austin common-area irrigation permits, Mueller Section 11

Common-area irrigation is permitted under its own "half" street addresses, which are not homes. This table gives the block. Of the **15** permits found for Section 11, **13 expired without a final inspection** and 2 were finaled. One example: the permit issued 08/25/2023 on the 3100 block of Schutze St expired 02/21/2024, and its one scheduled inspection was cancelled.

Permit	Street	Block (Mueller Sec. 11)	Issued	Status	Finaled
2021-139133 PP	3500 block of Cepeda St	Block 108	09/08/2021	**Expired**	
2021-139086 PP	3800 block of Taniguchi St	Block 103	09/09/2021	**Expired**	
2022-058222 PP	3900 block of Tilley St	Block 102	05/04/2022	Final	11/29/2022
2022-058225 PP	2900 block of Chennault St	Block 98	05/04/2022	**Expired**	
2022-086421 PP	3300 block of McCurdy St	Block 102	07/05/2022	**Expired**	
2022-101291 PP	3100 block of Chennault St	Block 100	07/11/2022	Final	10/10/2022
2022-119418 PP	3500 block of Cepeda St	Block 104	08/22/2022	**Expired**	
2022-151079 PP	3100 block of Schutze St	Block 89	10/11/2022	**Expired**	
2022-151083 PP	4200 block of Taniguchi St	Block 87	10/11/2022	**Expired**	
2022-164700 PP	2900 block of Moreno St	Block 87	11/10/2022	**Expired**	
2023-048348 PP	3100 block of Schutze St	Block 89	06/08/2023	**Expired**	
2023-101587 PP	4200 block of Margarita St	Block 88	08/09/2023	**Expired**	
2023-109202 PP	3100 block of Schutze St	Block 93	08/25/2023	**Expired**	
2023-109198 PP	3100 block of Sorin St	Block 93	08/25/2023	**Expired**	
2023-117120 PP	4000 block of Margarita St	Block 100	11/28/2023	**Expired**	

Source: City of Austin Issued Construction Permits open data and the Austin Build + Connect permit portal, checked November 15, 2026. "Expired" means the permit lapsed without a final inspection. Each record can be looked up by permit number at abc.austintexas.gov. Four of the 2023 permits (2023-048348, 2023-109202, 2023-109198 and 2023-117120) describe the work as "Installation of (1) irrigation meter for the common area on plan ID C8-04-0043.10.1B.SH," which is the developer's plan in Exhibit 2.

EXHIBIT 8 — The City's agreement with the developer: Catellus builds the street landscaping and must have defects corrected

Mueller is built under a Master Development Agreement between the City of Austin and **Catellus Austin, LLC**, signed in December 2004. The agreement lists **street landscaping** as part of the infrastructure the developer builds, requires that work to follow applicable laws and the design guidelines, and requires the developer to have its contractors **correct defects and deficiencies**.

Definition of "Infrastructure" (agreement page 11): it takes in the parks as well as the streets

> Infrastructure means the Backbone Infrastructure, the Intract Infrastructure and the Park Infrastructure.

Definition of "Intract Infrastructure" (agreement page 12): item (f), street landscaping

> parcels. The Intract Infrastructure creates the link between the Backbone Infrastructure and the ability to develop each individual lot in accordance with this Agreement, the Community Covenants, the Design Guidelines and Applicable Laws. Intract Infrastructure is generally as follows:
>
> (a) collector and local roads and alleys,
>
> (b) water distribution lines smaller than 12 inches,
>
> (c) sewer collection lines smaller than 12 inches,
>
> (d) sidewalks,
>
> (e) street lighting,
>
> (f) street landscaping,
>
> (g) clearing, grubbing and over lot grading, and
>
> (h) local stormwater collection, telephone, gas, electricity and cable lines, collectors and related equipment to and from the platted lot boundary lines to provide such services.

Section 7.2(b) (page 56): the work must follow applicable laws, the covenants and the design guidelines

> 7.2 Development of the Property and Construction of Infrastructure. Catellus shall:
>
> (a) Infrastructure. Use diligent and good faith efforts to pursue approval of each submitted Application for Backbone Infrastructure and to pursue approval of all necessary permits allowing construction of all the other Infrastructure.
>
> (b) Infrastructure Design and Performance. Design and perform the Infrastructure work in accordance with Applicable Laws, the Community Covenants, the Design Guidelines and this Agreement.

Section 7.2(g) (page 56): the developer must have its contractors correct defects

> (g) Defects and Deficiencies. Notify the City of defects and deficiencies found in the Infrastructure work and cause the contractor(s) to correct such defects and deficiencies.
>
> (h) Inspection. Permit the City's representatives access to the Property to inspect the Infrastructure.

Source: Master Development Agreement between the City of Austin and Catellus Austin, LLC concerning the Mueller Property, as posted by the City of Austin (austin.widen.net/view/pdf/uyqxxqygcl/MDA.pdf), pages 11, 12 and 56. Yellow highlighting added. The agreement has been amended since 2004, so the current text should be confirmed.

EXHIBIT 8 — The same agreement: "complete" means built to the plans, and the developer hands the City as-builts, warranties and a one-year maintenance bond

These are the records and guarantees residents are asking about for Section 11.

Definition of "Completion of Construction" (page 7): completed in accordance with the applicable plans and specifications

> Complete Construction and Completion of Construction mean, with respect to the applicable portion of the Infrastructure, the day on which all of the following have been satisfied:
>
> (a) the applicable Infrastructure has been completed in accordance with the applicable plans and specifications therefor,

Section 7.4 (page 57): sealed as-built drawings, assignment of warranties, and a one-year maintenance bond

> 7.4 Infrastructure Construction Completion. Within 30 days after Completion of Construction of each phase of Infrastructure, Catellus shall:
>
> (a) provide to the City as-built drawings for such Infrastructure prepared and duly sealed by Catellus' project engineer,
>
> (b) assign to the City all warranties, guarantees, maintenance bonds, or like assurances of performance applicable to such Infrastructure which the City will own or maintain,
>
> (c) execute such bills of sale, assignments, or other instruments of transfer as may be deemed reasonably necessary by the City to evidence the City's ownership of such Infrastructure which the City will own or maintain, without representation or warranty, except an obligation of Catellus to cause its contractor to provide a maintenance bond for a period of one year, and
>
> (d) such other instruments or documentation reasonably requested by the City to evidence the transfer of ownership of the Infrastructure under this Agreement.

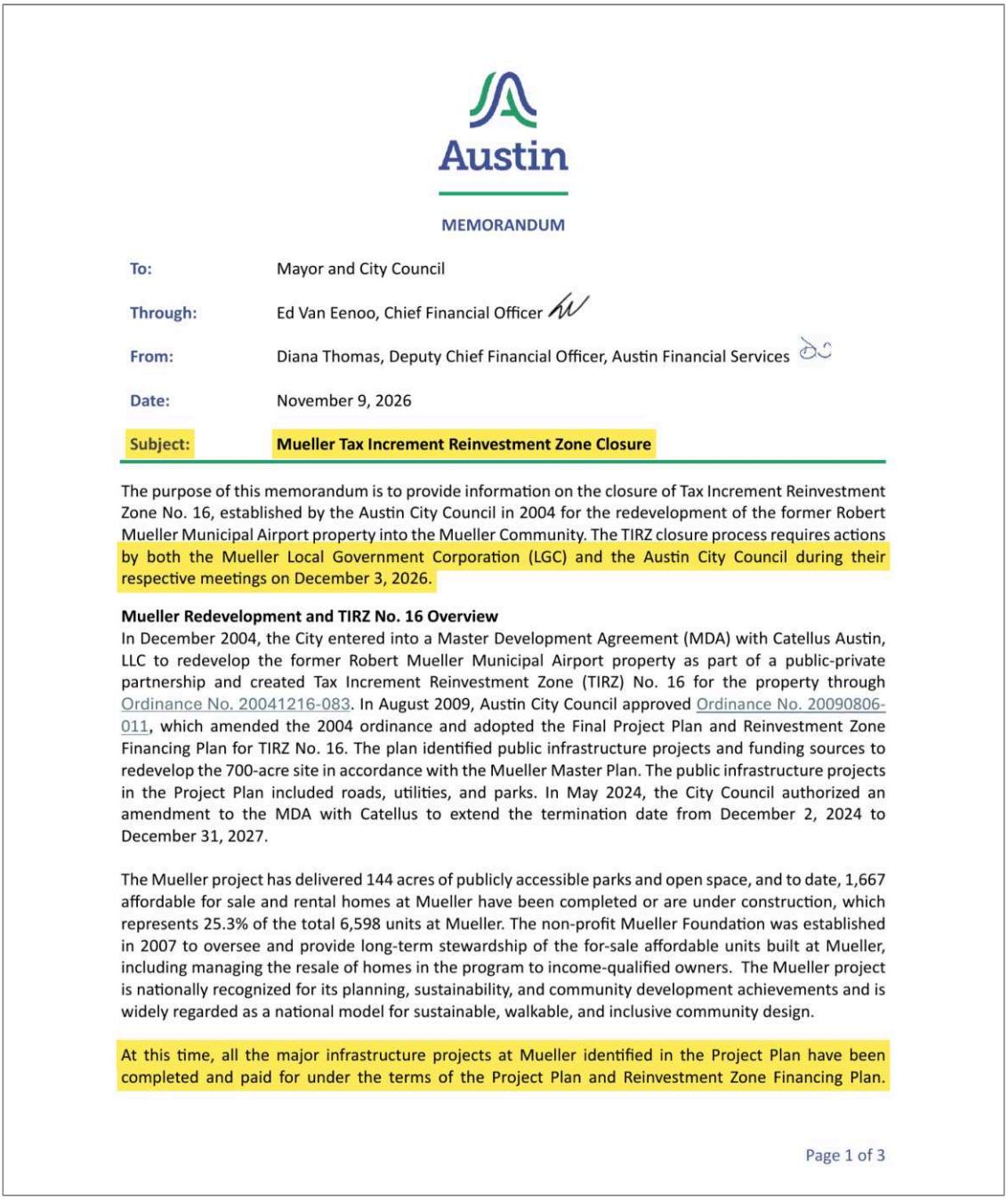
What this means for residents and the Association. This agreement is a contract between the City and the developer. Section 11.11 ("No Third Party Beneficiaries") says no one else can enforce it, so the Association and owners cannot sue on it. The City can require the developer to correct the work, and City staff say the agreement ends on December 31, 2027 (Exhibit 9). The practical step is to tell the City in writing, now, that the street landscaping in Section 11 does not appear to be built to the approved plan.

Source: same agreement, pages 7 and 57. Yellow highlighting added.

EXHIBIT 9

City of Austin memo, November 9, 2026: closing the Mueller tax increment zone (page 1 of 3)

City staff told the Mayor and Council that **all major infrastructure projects at Mueller are complete and paid for**, and that the City Council and the Mueller Local Government Corporation will be asked to act on **December 3, 2026** to close the zone.



Austin

MEMORANDUM

To: Mayor and City Council

Through: Ed Van Eenoo, Chief Financial Officer

From: Diana Thomas, Deputy Chief Financial Officer, Austin Financial Services

Date: November 9, 2026

Subject: **Mueller Tax Increment Reinvestment Zone Closure**

The purpose of this memorandum is to provide information on the closure of Tax Increment Reinvestment Zone No. 16, established by the Austin City Council in 2004 for the redevelopment of the former Robert Mueller Municipal Airport property into the Mueller Community. The TIRZ closure process requires actions by both the Mueller Local Government Corporation (LGC) and the Austin City Council during their respective meetings on December 3, 2026.

Mueller Redevelopment and TIRZ No. 16 Overview

In December 2004, the City entered into a Master Development Agreement (MDA) with Catellus Austin, LLC to redevelop the former Robert Mueller Municipal Airport property as part of a public-private partnership and created Tax Increment Reinvestment Zone (TIRZ) No. 16 for the property through Ordinance No. 20041216-083. In August 2009, Austin City Council approved Ordinance No. 20090806-011, which amended the 2004 ordinance and adopted the Final Project Plan and Reinvestment Zone Financing Plan for TIRZ No. 16. The plan identified public infrastructure projects and funding sources to redevelop the 700-acre site in accordance with the Mueller Master Plan. The public infrastructure projects in the Project Plan included roads, utilities, and parks. In May 2024, the City Council authorized an amendment to the MDA with Catellus to extend the termination date from December 2, 2024 to December 31, 2027.

The Mueller project has delivered 144 acres of publicly accessible parks and open space, and to date, 1,667 affordable for sale and rental homes at Mueller have been completed or are under construction, which represents 25.3% of the total 6,598 units at Mueller. The non-profit Mueller Foundation was established in 2007 to oversee and provide long-term stewardship of the for-sale affordable units built at Mueller, including managing the resale of homes in the program to income-qualified owners. The Mueller project is nationally recognized for its planning, sustainability, and community development achievements and is widely regarded as a national model for sustainable, walkable, and inclusive community design.

At this time, all the major infrastructure projects at Mueller identified in the Project Plan have been completed and paid for under the terms of the Project Plan and Reinvestment Zone Financing Plan.

Page 1 of 3

Source: City of Austin, Austin Financial Services, memorandum to Mayor and City Council, "Mueller Tax Increment Reinvestment Zone Closure," November 9, 2026 (in the November 18, 2026 Audit and Finance Committee backup, services.austintexas.gov/edims/document.cfm?id=485195). Yellow highlighting added.

EXHIBIT 9 The same memo, page 2 of 3: what is in the fund

Staff project about **$76 million** in the fund against **$18.1 million** of remaining bond principal, and recommend spending the balance on housing and homelessness programs. The memo says that recommendation, "or any alternative budget allocation," needs a later Council vote.

Date: November 9, 2026
Subject: Mueller Tax Increment Reinvestment Zone Closure

Therefore, in a manner consistent with State law and the City Council's adopted financial policy governing TIRZ closures, staff recommend defeasance of the remaining project bonds and closure of TIRZ No. 16.

Closure of the Mueller TIRZ is fiscally responsible and beneficial to the City's General Fund. By defeasing the bonds in December 2026, it is anticipated that the City will save approximately $2 million in future interest payments. In addition, there is an estimated $575 million of future development on three parcels in Mueller's Town Center, including an estimated $200 million multifamily property currently under construction. By closing the TIRZ, the taxable value from these parcels and the associated property tax revenue—estimated at approximately $3.0 million annually once fully built out—will accrue to the City's General Fund over-and-above the statutory 3.5% revenue cap. Furthermore, through the closure of the TIRZ, the 3.5% revenue cap that applies to existing property value can be achieved at a tax rate marginally lower than if the TIRZ remains open, saving taxpayers money.

It is important to note that the City Council has adopted a fiscal policy that limits the aggregate of all TIF zones to 10% or less of the City's total tax base. As City Council contemplates future TIF zones, including Homestead Preservation District Zones to prevent displacement and invest in affordable housing and associated infrastructure, it is important that the portion of the tax base dedicated to TIF zones versus the portion dedicated to the General Fund be proactively managed.

Mueller TIRZ No. 16 Remaining Funds and Recommendations for Use
The City collects tax increment from Mueller and holds it in the Mueller Tax Increment Fund reserved for TIRZ No. 16. These funds are used to pay the annual debt service, interest, and associated costs related to the TIRZ bonds issued by the City. As Mueller has built out, the amount of property tax collected has increased and now exceeds the annual debt service obligations. Currently, there is $18.1 million in outstanding principal on the 2009, 2012, and 2014 bonds, with approximately $76 million projected to be available in the TIRZ fund after the final transfer of incremental tax revenues from properties within TIRZ No. 16 are deposited into the Mueller Tax Increment Fund in spring of 2027.

Consistent with the City Council's approved financial policy governing TIRZ closures, staff recommends allocating the balance of the Mueller Tax Increment Fund (less the bond defeasance and associated costs) to support various affordable housing programs, permanent supportive housing, and homeless initiatives. Approval of the staff recommendation, or any alternative budget allocation, will require future action by the City Council, either as part of the FY 2028 budget process or as a mid-year budget amendment.

Item	Project Name and Description	Funding
(a)	**Mueller Affordable For-Sale Housing support**: Establish a fund with City oversight to help support the sustainability and retention of affordable homes in Mueller overseen by the Mueller Foundation. The program currently contains 686 for-sale homes. The funds may be used to support repurchasing homes in the shared equity program that was established at the start of Mueller and transition them upon resale to the modified 2% cap on appreciation program in place since 2013; funding would also focus on family-friendly, multi-bedroom homes.	$7M
(b)	**Eviction Prevention Rental Assistance:** Pursuant to recent City Council direction 20260827-069, Resolution, provide additional one-time funding to existing citywide eviction prevention programs, which include legal services, navigation, and negotiated eviction settlements.	$2M

Page 2 of 3

Source: same memorandum, page 2. Yellow highlighting added.

EXHIBIT 9

The same memo, page 3 of 3: the $58 million total, the December 3 agendas, and the staff contacts

Staff's list totals **$58 million**. No line on it is for Mueller streets, landscaping or irrigation. The last paragraph names the City staff to contact with questions or concerns: **Mandy DeMayo** and **Belinda Weaver** at Austin Financial Services.

Date: November 9, 2026
Subject: Mueller Tax Increment Reinvestment Zone Closure

c)	**City-wide Home Repair Programs**: Provide additional one-time funding to the City's Home Repair Programs, based on available funding and needs in programs. Consider expansion of existing programs or creation of new programs to serve homeowners who earn between 80% to 120% of the area's Median Family Income.	$3M
(d)	**City Council-directed Affordable Housing Fund**: Provide funding to seed a new fund to implement City Council-directed affordable housing initiatives, including the preservation of Naturally Occurring Affordable Housing (Resolution No. 20250911-041) and Green and Social Housing (Resolution No. 20260205-047).	$8M
(e)	**Down Payment Assistance Program**: Provide additional one-time funding for the existing program to respond to affordability challenges created by increased home prices, mortgage interest rates, and fees.	$3M
(f)	**House Our People Endowment (HOPE) Fund**: Provide additional one-time funding to the HOPE Fund (Resolution No. 20230831-136) in support of programs and projects serving the needs of individuals experiencing homelessness.	$10M
(g)	**Reserve for FY 2028 Funding Needs:** Given the uncertainty around future tax revenue growth and General Fund expenditure requirements, it is prudent to preserve a portion of these funds for future budget considerations.	$25M
	Total Funding	**$58 M**

Next Steps

Staff will include the necessary items for the closure of TIRZ No. 16 on the December 3rd agendas of the City Council and the Mueller Local Government Corporation (LGC). Approval of these actions will allow staff to take the necessary administrative actions to close the TIRZ. Approval of a budget allocation for the TIRZ balance to City programs and the appropriation of funds will require further action by the City Council at a future meeting.

Should you have any questions or concerns, please contact Mandy DeMayo, Real Estate and Asset Strategy Officer, Austin Financial Services, at Mandy.DeMayo@austintexas.gov or 512-974-1091 or Belinda Weaver, Treasurer, Austin Financial Services at Belinda.Weaver@austintexas.gov or 512-974-7885.

cc: T.C. Broadnax, City Manager
Erika Brady, City Clerk
Jason Hadavi, City Auditor
Mary Jane Grubb, Municipal Court Clerk
Judge Sherry Statman, Municipal Court
CMO Executive Team
Department Directors

Page 3 of 3

Source: same memorandum, page 3. Yellow highlighting added. The full staff list across pages 2 and 3: Mueller affordable for-sale housing $7M; eviction prevention $2M; citywide home repair $3M; affordable housing fund $8M; down payment assistance $3M; HOPE Fund (homelessness) $10M; reserve for FY 2028 $25M.

EXHIBIT 10 Parks: John Gaines Park and the Southeast Greenway, June 13, 2026

The same conditions appear in the parks: thin turf, bare pale soil, rock at the surface, and irrigation line lying on top of the ground.



John Gaines Park
Thin turf and bare patches beside a drain inlet.



John Gaines Park
Bare, worn ground across the lawn.



John Gaines Park, street edge
Bare soil in the strip beside a street tree.



John Gaines Park, street edge
Irrigation line lying on the surface of a bare strip.



Southeast Greenway
Sparse grass on bare, pale soil.



Southeast Greenway
Bare ground with rock and rubble at the edge of the lawn.

Which standard applies to the parks. Each park was built under its own City-approved plans, which are not in this packet. Spec 601S (Exhibit 3) is the City's standard topsoil specification, and the development agreement (Exhibit 8) counts "Park Infrastructure" as infrastructure the developer must build to the plans and specifications. Whether the park plans carry the same six-inch topsoil note as Section 11 is something the park plan sets will show. Residents are asking to see them.

Photographs by Mueller residents, all taken June 13, 2026. Dates are from the image files.

EXHIBIT 11 Soil from the 3100 block of Schutze Street, October 6, 2026: what it looks like

A resident took this soil from the ground on the 3100 block of Schutze Street. Spec 601S calls for "a black or dark brown loamy material" that passes a 3/8-inch screen and holds at least 5 percent organic matter (Exhibit 3).



As it came out of the ground
Pale tan clods and solid plugs. No dark, crumbly layer. White specks and streaks run through the clay.



Pressed together by hand
It molds into a solid ball and holds its shape, the way modeling clay does. A loam breaks apart.



A clod in household vinegar
It gives off bubbles. Acid on carbonate (lime) releases carbon dioxide gas, which is the fizz.

What the white marks are. The fizz shows the soil holds calcium carbonate, the mineral in limestone, chalk and caliche. The white specks and streaks are the likely source. They may be natural, since Central Texas subsoils are often limy, or they may be crushed limestone, lime or concrete residue left by construction. Vinegar cannot tell these apart, and limy soil is not by itself a violation. It matters because of what lime does to plant nutrients, which the next two pages show.

Photographs by a Mueller resident, October 6, 2026. Dates are from the image files. There is also a video of the vinegar test.

EXHIBIT 11 Home soil test of the same soil, October 6, 2026

A home capsule test kit. In each tube the soil solution (left) is compared with the printed color chart (right).



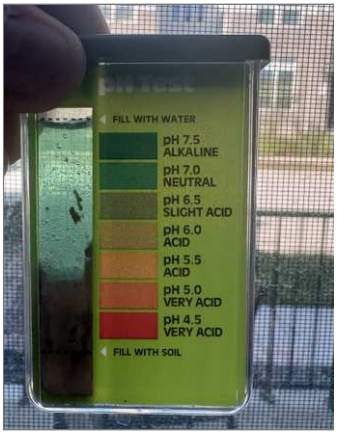
Nitrogen: N0, depleted
No pink in the solution.



Phosphorus: P0, depleted
No blue in the solution.



Potash: K0 to K1, depleted to deficient
Pale, with little orange.



pH: 7.5, alkaline
Dark green, the top of this kit's scale. The true value may be higher.

Test	Reading	What a lawn needs it for
Nitrogen (N)	N0, depleted	Leaf growth and green color. Soil stores nearly all of its nitrogen in organic matter.
Phosphorus (P)	P0, depleted	Root growth and establishment of new sod.
Potash (K)	K0 to K1	Drought, heat and wear tolerance.
pH	7.5 or higher	Controls whether nutrients in the soil can dissolve. Most turf does best between 6 and 7.
Vinegar	Fizzes	Shows free lime (calcium carbonate), which holds the pH high.

How far these readings go. This is a home screening test on one sample, and the colors are read by eye. A university comparison of home kits found the best brands matched laboratory results more than 90 percent of the time and the worst about a third of the time (Faber and others, HortTechnology, 2007). Two readings need care on limy clay: free lime can weaken the acid that home phosphorus tests rely on, and potassium held on clay does not show in a water-based test, so both may come out higher at a laboratory. A laboratory test settles it. Spec 601S.2 required one before construction (Exhibit 3), and residents are asking to see it.

Photographs by a Mueller resident, October 6, 2026. Readings are the resident's comparison of each tube with its chart.

EXHIBIT 11 Why the soil reads this way

A plain-language account of the soil science behind the two preceding pages.

1. It looks like subsoil, with little organic matter.	Organic matter is decayed plant material. It is what makes topsoil dark and crumbly. This soil is pale tan through and through, comes out in solid plugs, and molds like putty. The home kit does not measure organic matter. A laboratory does, and Spec 601S sets the floor at 5.0 percent.
2. Free lime holds the pH high.	Calcium carbonate dissolves a little at a time and neutralizes acid as it does. As long as any is left, the soil stays alkaline, typically between pH 7.6 and 8.3. Sulfur or acid fertilizer cannot bring the pH down until the lime is used up, and there is far too much of it for that.
3. High pH locks up phosphorus and iron.	In limy soil, phosphorus combines with calcium into calcium phosphate, which does not dissolve, so roots cannot take it up. Iron, zinc and manganese also turn into forms that do not dissolve at high pH. The nutrient can be in the ground and still be out of reach. Grass that cannot get iron turns yellow between the veins (iron chlorosis).
4. Clay holds nutrients tightly.	Clay is made of microscopic flat plates with a negative electrical charge. Positively charged nutrients such as potassium, calcium and magnesium cling to the plates, and some clays trap potassium between their layers. In a limy clay, calcium takes most of the places. Only a small share is loose in the soil water at any time.
5. Dense clay shuts out air and roots.	With no organic matter to bind it into crumbs, clay has very few air spaces. Wet, it swells shut and stays waterlogged. Roots need oxygen to take up nutrients, and soil bacteria starved of oxygen turn nitrogen into gas that escapes. Dry, it shrinks, cracks and sets hard. Roots stay shallow, in the sod layer, where they dry out quickly.
6. Nothing stores the nitrogen.	Soil keeps its nitrogen in organic matter, and microbes release it slowly as they break that matter down. With little organic matter there is no reserve. Fertilizer nitrogen is used, washed out or lost as gas within weeks. Nitrogen readings move with the season and with fertilizing, so the organic matter percentage is the more telling number.
7. What the compost in the 601S mix is for.	The specification calls for one part compost to four parts soil. Compost stores nitrogen and phosphorus, feeds the soil microbes, carries natural compounds that keep iron and zinc dissolved at high pH, binds clay into crumbs that let in air and water, and holds water between irrigations. Sod laid on bare clay gets none of this.

The test that would settle it. Spec 601S.2 required the contractor to submit, before construction, soil test results showing "texture, percentage organic matter (OM), salinity (soil salt) level; pH; and amounts of Phosphorous (P), potassium (K), calcium (Ca), magnesium (Mg), nitrate-nitrogen (NO3-N) and sulfate-sulfur (SO4-S)." Residents are asking to see that submittal. The same analysis can be run on today's soil. The Texas A&M AgriLife Extension Soil, Water and Forage Testing Laboratory offers it to the public for a small fee per sample.

Sources for the soil science: University of Florida IFAS Extension, publication CH086 (calcareous soils: lime content, pH range, phosphorus and iron); Utah State University Extension, "Managing Soil pH for Crop Production" (vinegar test for free lime); Iowa State University soil judging guide (acid test for carbonates). Specification text: City of Austin Standard Specification 601S, November 14, 2016.