



**Thursday, May 07, 2015**

The Austin City Council will convene at 10:00 AM on  
Thursday, May 07, 2015 at Austin City Hall  
301 W. Second Street, Austin, TX



**Mayor Steve Adler**  
**Mayor Pro Tem Kathie Tovo, District 9**  
**Council Member Ora Houston, District 1**  
**Council Member Delia Garza, District 2**  
**Council Member Sabino “Pio” Renteria, District 3**  
**Council Member Gregorio Casar, District 4**  
**Council Member Ann Kitchen, District 5**  
**Council Member Don Zimmerman, District 6**  
**Council Member Leslie Pool, District 7**  
**Council Member Ellen Troxclair, District 8**  
**Council Member Sheri Gallo, District 10**

For meeting information, contact the City Clerk, (512) 974-2210

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

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

**9:55 AM – Invocation - Revs. Sam and Kelly Mata, Shoreline Church**

**10:00 AM – City Council Convenes**

**Consent**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council work session of April 21, 2015, budget work session of April 22, 2015 and regular meeting of April 23, 2015.

**Austin Energy**

2. Authorize the negotiation and execution of a three-year membership agreement with the ELECTRIC POWER RESEARCH INSTITUTE for research programs related to grid-connected battery storage, smart grid technologies, and more efficient transmission, distribution, and generation operations, in an amount not to exceed \$1,200,000.

**Austin Water Utility**

3. Approve an ordinance amending City Code Chapter 6-5 relating to marine toilet requirements.

**Health and Human Services**

4. Approve an ordinance authorizing acceptance of \$183,906 in grant funds from the Texas Department of State Health Services, and amending the Fiscal Year 2014-2015 Health and Human Services Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to appropriate \$183,906 for Ebola preparedness and response.

**Office of Emergency Management**

5. Approve an ordinance authorizing acceptance of \$53,250 in grant funds from the Texas Department of Public Safety, and amending the Fiscal Year 2014-2015 Management Services Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to appropriate \$53,250 for updating the hazard mitigation plan.

## **Office of Real Estate Services**

6. Approve an ordinance vacating approximately 4,646 square feet of an unnamed street located between South 1st Street and South 2nd Street (adjacent to 900 South 1st Street); approximately 5,996 square feet of South 2nd Street; and approximately 2,184 square feet of an alley north of Copeland Street, between South 1st Street and South 2nd Street, to 1ST STREET HIGHLANDS, LP, for the appraised value of \$137,838, subject to retaining public utility easements, a waterline easement, relocation of utilities at the developer's expense, and concurrent dedication by plat of new right-of-way (District 9). Related to Item #7.
7. Approve an ordinance vacating approximately 8,200 square feet of the unconstructed Christopher Street right-of-way (adjacent to 1000 South 2nd Street) to 1ST STREET HIGHLANDS, LP, for the appraised value of \$35,274, subject to retaining public utility easements, a waterline easement, relocation of utilities at the developer's expense, and concurrent dedication by plat of new right-of-way (District 9). Related to Item #6.

## **Parks and Recreation**

8. Approve a resolution concerning re-naming the Austin Tennis Center, located at 7800 Johnny Morris Road (District 1).
9. Approve an ordinance amending the Fiscal Year 2014-2015 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to accept and appropriate \$30,000 in grant funds from the National Recreation and Park Association to provide nutrition information, to implement nutrition and physical activity standards, and to promote programs that will lead to more sustainable meals.
10. Approve a resolution waiving the requirements of Resolution No. 980312-25; and authorize negotiation and execution of a park concession service agreement with the Austin Parks Foundation for food and beverage concession service at 1006 Congress Avenue.

## **Planning and Zoning**

11. Approve an ordinance adopting and authorizing execution of an Impervious Cover Transfer Agreement associated with a 5.92 acre property located at 6308 Spicewood Springs Road known as Ace Salvage Yard and Ace Discount Glass (contiguous to District 10). Related to Item #34.
12. Approve a resolution authorizing the City Manager to include a partial exemption from ad valorem taxes for certain historically-designated properties in budget calculations for the coming year to provide this resolution to the Austin Independent School District, and to prepare an ordinance approving these partial exemptions to be considered by Council

concurrently with the annual tax levy.

## **Police**

13. Approve a resolution authorizing the application for and acceptance of \$573,246 in grant funding from the Texas Automobile Burglary and Theft Prevention Authority.

## **Purchasing Office**

14. Authorize award, negotiation, and execution of an 18-month contract with ORANGEBOY, INC. to provide customer research and data assessment services for the Austin Public Library in an amount not to exceed \$97,500, with four 12-month extension options in an amount not to exceed \$45,000 per extension option, for a total contract amount not to exceed \$277,500. ( Notes: The contract will be awarded as a sole source and is exempt from City Code Chapter 2-9C Minority-Owned and Women-Owned Business Enterprise Procurement Program. )
15. Authorize award and execution of a 36-month supply contract with COMMUNITY TRUCKING LLC to provide dry rock rip rap in an amount not to exceed \$438,315, with three 12-month extension options in an amount not to exceed \$146,105 per extension option, for a total contract amount not to exceed \$876,630. ( Notes: This contract will be awarded in compliance with City Code Chapter 2-9D Minority-Owned and Women-Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )
16. Authorize award, negotiation, and execution of a 12-month service contract with UNISYS CORPORATION to provide professional services for the migration of legacy systems into the Application Management and Data Automation case management software system and for the expansion of online services for citizens in an amount not to exceed \$648,500. ( Notes: The contract will be awarded as a sole source and is exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. )
17. Authorize award, negotiation and execution of a 12-month service contract with HP ENTERPRISE SERVICES, LLC, or with another qualified respondent to Request for Proposals No. SMW0122, to provide consulting services for the relocation of the City's primary data center in an amount not to exceed \$400,000, with one 12-month extension option in an amount not to exceed \$900,000, for a total contract amount not to exceed \$1,300,000. ( Notes: The contract will be awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )

18. Authorize award and execution of a 12-month supply and service contract with MIDWEST TAPE, LLC, or the other qualified bidder for Invitation for Bid-Best Value No. EAD0609, to provide DVD and BLU-Ray acquisitions, cataloging, and processing for the Austin Public Library Department in an amount not to exceed \$626,000, with five 12-month extension options in an amount not to exceed \$626,000 for each extension option, for a total contract amount not to exceed \$3,756,000.  
( Notes: The contract will be awarded in compliance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. )

### **Transportation**

19. Approve an ordinance accepting \$102,300 in grant funds from the AMERICAN PLANNING ASSOCIATION TEXAS CHAPTER; and amending the Fiscal Year 2014-2015 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to appropriate \$102,300 for the implementation of a pilot project to improve accessibility to healthcare, nutritious food, and physical activity in the communities of North Central Austin.
20. Approve a resolution to designate alternates for the City of Austin council members serving on the Capital Area Metropolitan Planning Organization Transportation Policy Board.

### **Treasury Office**

21. Approve a resolution authorizing issuance by Northtown Municipal Utility District of Unlimited Tax and Revenue Refunding Bonds, Series 2015, in a principal amount not to exceed \$8,740,000; and approving a substantial draft of the District's Bond Resolution and Preliminary Official Statement.

### **Item(s) from Council**

22. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members.
23. Approve an ordinance amending City Code Chapter 2-1 relating to the Robert Mueller Municipal Airport Plan Implementation Advisory Commission.  
( Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Don Zimmerman CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Ora Houston CO 4: Council Member Gregorio Casar )

24. Authorize reimbursement of certain costs under City Code Chapter 14-8 for the Children's Climate March sponsored by Junior Girl Scout Troop 471, which was held on Saturday, April 25, 2015.  
( Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo CO 4: Mayor Steve Adler )
25. Approve the waiver or reimbursement of certain fees and waiver of certain requirements under City Code Chapter 14-8 for the Texas Peace Officer Memorial Foundation's biennial Memorial Service and Parade sponsored by the Texas Peace Officer Memorial Foundation which was held Monday, May 4, 2015 beginning at the Ann W. Richards Congress Avenue Bridge and ending at the Texas State Capitol Building.  
( Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Delia Garza CO 2: Council Member Sabino "Pio" Renteria CO 3: Mayor Pro Tem Kathie Tovo CO 4: Council Member Ann Kitchen )
26. Approve a resolution related to the Capital Area Metropolitan Planning Organization 2040 Plan.  
( Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Ann Kitchen CO 2: Council Member Leslie Pool CO 3: Council Member Gregorio Casar CO 4: Council Member Delia Garza )
27. Approve a resolution directing the City Manager to establish a working group to address disparate health outcomes among members of the community and to coordinate with the working group to develop an equity assessment tool to address racial disparity and foster equity throughout the City and during the budget process.  
( Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo CO 4: Mayor Steve Adler )
28. Approve an ordinance waiving or reimbursing certain fees and waiving certain requirements for the Cristo Rey event honoring veterans, sponsored by Cristo Rey Parish, which is to be held Sunday, July 12, 2015 at Fiesta Gardens.  
( Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Mayor Steve Adler CO 2: Council Member Ora Houston CO 3: Council Member Delia Garza CO 4: Council Member Gregorio Casar )

#### **Item(s) to Set Public Hearing(s)**

29. Set a public hearing to consider an ordinance amending the Restricted Parking Area Map under City Code Section 12-5-29 by adding two new areas, Highland Park West Balcones Area Neighborhood Association (District 10) and Southeast Combined Neighborhood Planning Area (District 2).  
(Suggested date and time: June 4, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

30. Set a public hearing to consider a request by E.T.B., Inc. d/b/a CVS Pharmacy, located at 1801 and 1813 W. Parmer Lane (District 7), for a waiver of the distance requirement in City Code Section 4-9-4(A), which requires a minimum of 300 feet between a business that sells alcoholic beverages and a school. (Suggested date and time: June 4, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).
31. Set a public hearing to consider the expansion of the Austin Downtown Public Improvement District by adding one parcel of land located at 500 West 2nd Street (District 9) as requested by the property owner. (Suggested date and time: June 4, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)
32. Set a public hearing and consider an ordinance regarding ATMOS Energy Corporation's proposal to increase customers' gas rates. (Suggested date and time May 21, 2015; 4:00 p.m. at City Hall; 301 W. Second Street, Austin, TX)

## **Non-Consent**

### **Item(s) Referred from Council Committee(s)**

#### Mobility

33. Authorize additional funding for construction of a previously executed advance funding agreement between the City of Austin and the Texas Department of Transportation for the construction of highway improvements and bicycle and pedestrian bridge over Barton Creek at Mopac, in the amount of \$1,000,000.  
( Notes: Public Works )

#### Planning and Neighborhoods Committee

34. Consider a recommendation on an impervious cover transfer agreement associated with a 5.92 acre property located at 6308 Spicewood Springs Road known as Ace Salvage Yard and Ace Discount Glass. Related to Item #11.

### **12:00 PM - Citizen Communications: General**

Pat Johnson - When will the abuse of the public cease to exist by APD's wrecker enforcement unit?

Carlos León - 1) God, Jesus Christ & The Holy Spirit are #1 24/7. 2) Chemtrail poisons have no space in Austin's skies 3) Losing your marbles- Part VIII

Susana Almanza - Purchase the Pure Casting Facility at 2110 E. 4th Street. Help mitigate gentrification by building affordable housing.

John King - Engaging young professionals in board & commission service.

Don Grant - Re-entry housing for individuals on parole in community

David Leonard - The closing of City pools

Eric Bell - Community activism; the need for more youth after-school programs

Renee Smith - The struggles of people with felony convictions

Sara Black - APD give back \$382,000 in blood money from Treasury.

CAROLANNROSEKENNEDY - THE 10 COMMENDMENTS

### **Executive Session**

35. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
36. Discuss legal issues related to legislation pending in the 84th Texas Legislative Session and pertaining to Austin Energy (Private consultation with legal counsel - Section 551.071 of the Government Code).
37. Discuss matters related to large primary and transmission electric customers (Certain Public Power Utilities: Competitive Matters - Section 551.086 of the Government Code).

### **4:00 PM - Public Hearings and Possible Actions**

38. Conduct a public hearing and consider an ordinance amending City Code Title 25 to limit the redevelopment of existing small (substandard) lots that are developed as a single building site.
39. Conduct a public hearing and consider an ordinance amending City Code Title 25 changing regulations for secondary dwellings.
40. Conduct a public hearing and consider an appeal by Daniel Llanes, regarding the Planning Commission's approval of a variance from City Code Section 25-2-721(B)(1), which prohibits the construction of a building or parking area within the primary setback of the Waterfront Overlay in the Red Bluff Subdistrict (District 3).
41. Conduct a public hearing and consider an ordinance amending City Code Title 25 to add notification and meeting requirements to the East Riverside Corridor Regulating Plan amendment process.
42. Conduct a public hearing and consider an ordinance amending City Code Title 2 and Title 25 to dissolve the Residential Design and Compatibility



Commission.

43. Conduct a public hearing regarding the full purpose annexation of the LES Burleson annexation area (approximately 13.2 acres in southern Travis County south of Burleson Road, approximately 870 feet east of the intersection of Burleson Road and Smith School Road; contiguous to Council District 2).
44. Conduct a public hearing and consider an ordinance amending the electric rate schedules in Ordinance No. 20140908-003 with regard to contract rates for large primary and transmission voltage customers.
45. Conduct a public hearing and approve a resolution for an application to be submitted to the Texas Department of Housing and Community Affairs by Austin DMA Housing II, LLC, or an affiliated entity, for a proposed a mixed-income multi-family rental development to be called the Aldrich 51 Apartments, located in the Robert Mueller Municipal Airport Redevelopment, on the west side of Aldrich Street between Barbara Jordan Boulevard and East 51st Street.
46. Conduct a public hearing and consider an appeal of a decision of the Building & Fire Code Board of Appeals to uphold the issuance of a building permit relating to property located at 3100 Highland Terrace West (District 10).

### **5:30 PM - Live Music**

Kiko Villamizar

### **5:30 PM - Proclamations**

Proclamation -- Mental Health Month -- to be presented by Mayor Steve Adler and to be accepted by Christinia Kuehn

Certificates of Congratulations -- Austin Academic World Quest Winners -- to be presented by Mayor Steve Adler and to be accepted by the honorees

Proclamation -- Fair Housing Month -- to be presented by Mayor Steve Adler and to be accepted by Jonathan Babiak


Certificates of Appreciation -- Public Service Recognition Week -- to be presented by Mayor Steve Adler and City Manager Marc Ott and to be accepted by City of Austin Department honorees


Proclamation -- Internal Audit Week -- to be presented by Mayor Steve Adler and to be accepted by John Spann

Proclamation -- Salvation Army Week -- to be presented by Mayor Steve Adler and to be accepted by TBA

Proclamation -- National Bike Month, Bike to School Day and Bike to Work Day -- to be presented by Council Member Ann Kitchen and to be accepted by Miller Nuttel

## Adjourn

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

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

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

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