

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, JUNE 18, 2015**

Invocation: Rev. Melvin Manor, St. Paul Baptist Church

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, June 18, 2015 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:17 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of June 9, 2015 and regular meeting of June 11, 2015.

The minutes from the City Council work session of June 9, 2015 and regular meeting of June 11, 2015 were approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

Item 2 was pulled for discussion.

3. Approve issuance of a rebate to Cousins Properties Incorporated for the installation of energy efficiency measures at 303 Colorado Street, in an amount not to exceed \$146,801.

The motion to approve the issuance of a rebate to Cousins Properties Incorporated was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Houston was off the dais.

4. Authorize execution of an interlocal agreement between the City and Travis County for household hazardous waste collection services for County residents who live outside of the incorporated limits of the City.

The motion authorizing the execution of an interlocal agreement between the City and Travis County was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

5. Approve an ordinance authorizing an increase in the Fiscal Year 2014-2015 Austin Water Utility Capital Budget (Ordinance No. 20140908-002) to appropriate \$4,644,753 for the Water Treatment Plant No. 4 Project Construction Manager At Risk Agreement with MWH Constructors, Inc. Related to Items #24 and #101.

Ordinance No. 20150618-005 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on an 8-0 vote. Council Members Troxclair and Zimmerman abstained. Council Member Houston was off the dais.

6. Authorize negotiation of a lease with Highstar Capital IV, L.P. for up to 30 acres of land at Austin-Bergstrom International Airport to improve, operate, and maintain an ultra-low cost airport terminal for a 30-year term with two 5-year extension options.

The motion authorizing the negotiation of a lease with Highstar Capital IV, L.P. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

Item 7 was pulled for discussion.

8. Approve an ordinance amending City Code Section 2-5-28 relating to general citizen communications at city council meetings.

Ordinance No. 20150618-008 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

9. Authorize execution of a 12-month Greater Austin-Travis County Regional Radio System (GATRRS) Associate Interlocal Cooperation Agreement, with two automatic 12 month renewals, with Texas Department of Transportation to permit its radios and dispatch console(s) to connect to and use the GATRRS for primary voice radio communications.

The motion authorizing the execution of a Greater Austin-Travis County Regional Radio System (GATRRS) Associate Interlocal Cooperation Agreement was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

Item 10 was pulled for discussion.

11. Authorize negotiation and execution of an amendment to the professional services agreement with CAROLLO ENGINEERS, INC. to provide engineering services for the South Austin Regional Wastewater Treatment Plant Blower Improvements Project in the amount of \$1,571,447, for a total contract amount not to exceed \$4,062,447. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 8.53% MBE and 13.57% WBE participation to date.)

The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Carollo Engineers, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

Item 12 was pulled for discussion.

13. Authorize negotiation and execution of a professional services agreement with FREESE & NICHOLS INC. dba FREESE & NICHOLS (staff recommendation), or one of the other qualified responders to RFQ Solicitation No. CLMP175, to provide Engineering Services for the Reservoir Improvements Program in an amount not to exceed \$2,000,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 15.80% MBE and 15.80% WBE participation.)

The motion authorizing the negotiation and execution of a professional services agreement with Freese & Nichols Inc. doing business as Freese & Nichols was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

Item 14 was pulled for discussion.

15. Authorize negotiation and execution of a design-build agreement with SPAWGLASS CONTRACTORS, INC. for the Animal Center Kennel Additions and Campus Infrastructure Improvements Project for preliminary and design phase services in an amount not to exceed \$800,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 33.20% MBE and 15.80% WBE participation.)
The motion authorizing the negotiation and execution of a design-build agreement with Spawglass Contractors, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

Item 16 was pulled for discussion.

17. Authorize negotiation and execution of a professional services agreement with MICHAEL VAN VALKENBURGH and ASSOCIATES to provide architectural and engineering services for the design of the Waller Pavilion in an amount not to exceed \$749,655. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 9.39% MBE and 5.74% WBE participation.)
The motion authorizing the negotiation and execution of a professional services agreement with Michael Van Valkenburgh and Associates was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

Item 18 was pulled for discussion.

19. Authorize additional contingency funding for the construction contract with Oscar Renda Contracting for the Waller Creek Inlet Facility at Waterloo Park Project in the amount of \$6,260,625 for a total amount not to exceed \$34,781,250. Related to Items #73, #74 and #104.
The motion authorizing the additional contingency funding for the construction contract with Oscar Renda Contracting was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on an 8-0 vote. Council Members Troxclair and Zimmerman abstained. Council Member Houston was off the dais.
20. Approve an ordinance authorizing acceptance of \$25,000 from Travis County Health and Human Services and Veterans Services, \$25,000 from the United Way for Greater Austin, and \$25,000 from Central Health; and amending the Fiscal Year 2014-2015 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to appropriate \$75,000 for a feasibility study on the creation of a teen pregnancy prevention pay for success project. Related to Item #21.
Ordinance No. 20150618-020 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.
21. Authorize negotiation and execution of a 15-month, Memorandum of Understanding with THIRD SECTOR CAPITAL PARTNERS, INC., BOSTON, MASSACHUSETTS to provide technical assistance to assess the feasibility of constructing a Pay for Success (PHS) project for teen pregnancy prevention in a total amount not to exceed \$63,000. Related to Item #20.
The motion authorizing the negotiation and execution of a Memorandum of Understanding with Third Sector Capital Partners, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

22. Approve an ordinance authorizing acceptance of \$511,833 in grant funds from the TEXAS COMMISSION ON ENVIRONMENTAL QUALITY and amending the Fiscal Year 2014-2015 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to appropriate \$511,833 and add three full-time equivalent positions for the whole air monitoring program authorized under the Texas Health and Safety Code.
Ordinance No. 20150618-022 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Houston was off the dais.
23. Authorize the negotiation and execution of an amendment to the legal services agreement with Denton, Navarro, Rocha, Bernal, Hyde & Zech, for legal counsel provided to the Austin Urban Renewal Agency, by increasing funding in the amount of \$50,000 for a total contract amount not to exceed \$122,500.
The motion authorizing the negotiation and execution of an amendment to the legal services agreement with Denton Navarro, Rocha, Bernal, Hyde & Zeck was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Houston was off the dais.
24. Approve mediated settlement agreement with MWH Constructors, Southland/Mole Joint Venture, Laughlin Thyssen, and STR Constructors for final resolution of all claims and final completion of the Water Treatment Plant No. 4 Project and authorize additional funding under construction manager at risk agreement with MWH in the amount of \$4,644,753. Related to Items #5 and #101. (Notes: Budget amendment launched by Austin Water Utility Executive session item launched by Law Department)
The motion to approve the mediated settlement agreement with MWH Constructors; Southland/Mole Joint Venture; Laughlin Thyssen; and STR Constructors was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Houston was off the dais.
25. Discussion and possible action relating to a challenge petition with the Appraisal Review Board for the Travis Central Appraisal District relating to commercial property values set by the Travis Central Appraisal District. Related to Item #102.
The discussion was conducted on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.
26. Authorize negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple a tract of land totaling approximately 32.673 acres located on East Ben White Boulevard and Pleasant Valley Road from the Most Reverend Joe S. Vasquez, successor to the Most Reverend John McCarthy as Bishop of the Catholic Diocese of Austin, in an amount not to exceed \$2,000,000 (District 3). Related to Items #27 and #28.
The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple a tract of land was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.
27. Approve an ordinance amending the Fiscal Year 2014-2015 Parks and Recreation Department Capital Budget (Ordinance No. 20140908-002) to increase appropriations by \$2,710,000 for Parkland Acquisition and Development (District 3). Related to Item #26 and #28.
Ordinance No. 20150618-027 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.
28. Approve a resolution declaring the City of Austin's official intent to reimburse itself for expenditures in the total amount of \$2,710,000 related to parks and recreation using proceeds of General Obligation

Bonds to be issued from bonds approved in the November 2012 Bond Election. Related to Items #26 and #27.

Resolution No. 20150618-028 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

Item 29 was pulled for discussion.

30. Approve a lifetime swim pass and waiver of admission fees to Barton Springs Pool for Lynn C. Cooksey and former Mayor Frank Cooksey.
The motion approving a lifetime swim pass and waiver of admission fees to Barton Springs Pool for Lynn C. Cooksey and former Mayor Frank Cooksey was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Houston was off the dais.
31. 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 \$20,000 in grant funds from the National Recreation and Park Association; and amending the Fiscal Year 2014-2015 Parks and Recreation Department Capital Budget (Ordinance No. 20140908-002) to transfer in and appropriate \$20,000 from the Austin Parks and Recreation Department Operating Budget Special Revenue Fund for renovation of the Battle Bend Neighborhood Park Sport Court.
Ordinance No. 20150618-031 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.
32. Authorize negotiation and execution of an amendment to the interlocal agreement between the City and Travis County for the extension of Parmer Lane from U.S. State Highway 290 to SH 130 at Blue Bluff (future Braker Lane) in the amount of \$500,000, for a total contract amount not to exceed \$4,032,965.
The motion authorizing the negotiation and execution of an amendment to the interlocal agreement between the City and Travis County was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.
33. Authorize award and execution of a 24-month supply contract with SMITH MOUNTAIN INVESTMENTS, LLC, to provide inspection of and treatment for services of distribution wood poles for Austin Energy, in an amount not to exceed \$807,678, with three 12-month extension options in an amount not to exceed \$403,839 per extension option, for a total contract amount not to exceed \$2,019,195. June 15, 2015 – Recommended by the Electric Utility Commission on a 4-2 vote, with Commissioners Hadden and Meijer against and Commissioner Rai absent. (Notes: This 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.)
The motion authorizing the award and execution of a supply contract with Smith Mountain Investments, LLC was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.
34. Authorize award and execution a 24-month contract with UNIFILT CORPORATION for the purchase of anthracite filter material for Austin Water in an amount not to exceed \$191,552, with two 12-month extension options in an amount not to exceed \$95,776 per extension option, for a total contract amount not to exceed \$383,104. (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.)

The motion authorizing the award and execution of a contract with Unifilt Corporation was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

Item 35 was pulled for discussion.

36. Authorize award and execution of a 24-month contract through the Texas Local Government Purchasing Cooperative (BuyBoard) Program with DUKE'S ROOT CONTROL INC. for the purchase and application of root control for treatment of wastewater mains in an amount not to exceed \$150,000. (Notes: This cooperative contract will be awarded in compliance with City Code Chapter 2-9C of the Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore no goals were established for this contract.)

The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) Program with Duke's Root Control Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

37. Authorize award and execution of a 36-month contract with AMERICAN DIVERSITY BUSINESS SOLUTIONS to provide printed forms in an amount not to exceed \$304,174, with two 12-month extension options in an amount not to exceed \$101,391 per extension option, for a total contract amount not to exceed \$506,957. (Notes: This 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.)

The motion authorizing the award and execution of a contract with American Diversity Business Solutions was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

38. Authorize award and execution of a contract with ACTIVU CORPORATION to replace the light engines in the video wall at the City's Combined Transportation Emergency Communications Center facility in an amount not to exceed \$749,182. (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.)

The motion authorizing the award and execution of a contract with Activu Corporation was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

Items 39 and 40 were pulled for discussion.

41. Authorize award, negotiation, and execution of a 24-month contract with CSDC SYSTEMS, INC. to provide software, software maintenance, and professional services to upgrade the Municipal Court Judicial Enforcement Management System in an amount not to exceed \$4,094,700. (Notes: This contract will be awarded as a sole source and is exempt from in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program.)

The motion authorizing the award, negotiation and execution of a contract with CSDC Systems, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

42. Authorize award, negotiation, and execution of a 12-month contract with DARTEZ LLC to provide professional services for operational support of the Application Management and Data Automation

software system in an estimated amount not to exceed \$99,840. (Notes: This contract is exempt as specified in Texas Government Code Chapter 252.022.)

The motion authorizing the award, negotiation and execution of a contract with Dartez LLC was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

Item 43 was pulled for discussion.

44. Authorize award and execution of a 21-month contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with DOOLEY TACKABERRY, INC. to provide fire rescue equipment for the Austin Fire Department in an amount not to exceed \$362,816. (Notes: This cooperative purchase 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 contract.)

The motion authorizing the award and execution of a contract through the Texas Local Government Purchasing Cooperative (BuyBoard) with Dooley Tackaberry, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

45. Authorize award and execution of Amendment No. 6 to a contract with STRYKER CORPORATION to purchase additional equipment for the Emergency Medical Services Department, increase the current contract authorization by \$125,000, and increase the remaining extension option by an additional \$125,000 to \$975,000, for a total contract amount not to exceed \$3,959,849. (Notes: This contract was awarded as a sole source and is exempt from City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program.)

The motion authorizing the award and execution of amendment number six to a contract with Stryker Corporation was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on an 8-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais; but requested the record show her abstaining on the motion.

46. Authorize award and execution of a 36-month contract with ACUSHNET COMPANY to provide golf supplies for resale in an amount not to exceed \$450,000, with three 12-month extension options in an amount not to exceed \$150,000 per extension option, for a total contract amount not to exceed \$900,000. (Notes: This contract is exempt as specified in Texas Government Code Chapter 252.022.)

The motion authorizing the award and execution of a contract with Acushnet Company was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on an 8-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais; but requested the record show her abstaining on the motion.

47. Authorize award, negotiation, and execution of a contract with DESIGN WORKSHOP INC., or one of the other qualified offerors to Request For Proposal No. TVN0051, to provide consulting services to develop a master plan for Lamar Beach at Town Lake Metro Park in an amount not to exceed \$200,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 7.75% MBE and 25.50% WBE participation.)

The motion authorizing the award, negotiation and execution of a contract with Design Workshop Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

48. Authorize award and execution of a contract through the Texas Multiple Award Schedule with BRUNSWICK COMMERCIAL AND GOVERNMENT PRODUCTS, INC. for a lake patrol boat in an

amount not to exceed \$90,326. (Notes: This cooperative 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 contract.)

The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule with Brunswick Commercial and Government Products, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Houston was off the dais.

49. Authorize award and execution of a 36-month contract with GCSA, INC. DBA LAKE AUSTIN MARINA to provide fuel in an amount not to exceed \$300,000, with three 12-month extension options in an amount not to exceed \$100,000 per extension option, for a total contract amount not to exceed \$600,000. (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.)

The motion authorizing the award and execution of a contract with GCSA, Inc. doing business as Lake Austin Marina was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

50. Authorize award and execution of three contracts through the Houston-Galveston Area Council Cooperative for light duty vehicles with FREEDOM CHRYSLER DODGE JEEP RAM in an amount not to exceed \$220,569, NATIONAL BUS SALES in an amount not to exceed \$965,159, and SIDDONS-MARTIN EMERGENCY GROUP in an amount not to exceed \$287,103, for a total amount not to exceed \$1,472,831. (Notes: This cooperative 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 contract.)

The motion authorizing the award and execution of three contracts through the Houston-Galveston Area Council Cooperative for light duty vehicles with Freedom Chrysler Dodge Jeep Ram; National Bus Sales; and Siddons-Martin Emergency Group was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

Item 51 was pulled for discussion.

52. Authorize award and execution of a contract with WOODS FUN CENTER, INC. DBA BMW MOTORCYCLES OF AUSTIN, a local bidder that offers the City the best combination of contract price and additional economic development opportunities including the employment of residents and increased tax revenues, to provide police motorcycles in an amount not to exceed \$273,434. (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.)

The motion authorizing the award and execution of a contract with Woods Fun Center, Inc. doing business as BMW Motorcycles of Austin was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

53. Authorize award and execution of a 36-month contract with PERFORMANCE TRUCK to provide diesel engine parts and repair services in an amount not to exceed \$768,600 with three 12-month extension options in an amount not to exceed \$256,200 per extension option, for a total contract amount not to exceed \$1,537,200. (Notes: This 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.)

The motion authorizing the award and execution of a contract with Performance Truck was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

54. Authorize award and execution of a 36-month contract with CENTRAL TEXAS WATER MAINTENANCE LLC to provide hardware maintenance and repair services at re-irrigation detention ponds, in an amount not to exceed \$726,486, with three 12-month extension options in an amount not to exceed \$242,162 per extension option, for a total contract amount not to exceed \$1,452,972. (Notes: This 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.)

The motion authorizing the award and execution of a contract with Central Texas Water Maintenance LLC was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on an 8-1 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais; but requested the record show her voting no on the motion.

55. Authorize award, negotiation, and execution of a contract with ECONORTHWEST to provide consulting services for the South Central Waterfront Initiative for a total contract amount not to exceed \$99,950. (Notes: This 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.)

The motion authorizing the award, negotiation and execution of a contract with Econorthwest was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

56. Authorize award, negotiation, and execution of a contract with THE VALLEY GROUP, or another qualified offeror to Request For Proposal No. NST0405, for the purchase of dynamic line rating equipment in an amount not to exceed \$169,000. June 15, 2015 – Recommended by the Electric Utility Commission on a 6-0 vote, with Commissioner Rai absent. (Notes: This contract was 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.)

The motion authorizing the award, negotiation and execution of a contract with the Valley group was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

57. Authorize award, negotiation and execution of a contract with JOHNSON CONTROLS INC., or another qualified offeror to Request For Proposal No. OPJ0114, for the purchase and installation of a 2500 ton chiller to be installed at Austin Energy's Domain District Cooling Plant, in an amount not to exceed \$3,075,554. June 15, 2015 – Recommended by the Electric Utility Commission on a 6-0 vote, with Commissioner Rai absent. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 0.99% MBE and 2.49% WBE participation.)

The motion authorizing the award, negotiation and execution of a contract with Johnson Controls Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on an 8-0 vote. Council Members Troxclair and Zimmerman abstained. Council Member Houston was off the dais; but requested the record show her voting no on the motion.

58. Authorize award and execution of Amendment No. 9 to the contract with MASTEC NORTH AMERICA, INC. for underground transmission and distribution construction and maintenance services to increase the

contract authorization for the current contract period in an amount not to exceed \$5,000,000, for a revised total contract amount not to exceed \$41,488,840. June 15, 2015 – Recommended by the Electric Utility Commission on a 6-0 vote, with Commissioner Rai absent. (Notes: This contract was awarded in compliance with City Code Chapter 2-9C of the Minority Owned and Women Owned Business Enterprise Procurement Program with 9.26% MBE and 19.79% WBE participation.)

The motion authorizing the award and execution of amendment number nine to the contract with Mastec North America, Inc. was approved on consent on C Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.

Item 59 was pulled for discussion.

60. Authorize award, negotiation, and execution of 12-month contracts with 360 ENERGY SAVERS, LLC; RAM'S WEATHERIZATION & CONSTRUCTION, LLC; 1st CHOICE ENERGY, LLC; McCULLOUGH HEATING & A/C, INC; ENERGY GUYS; CITY CONSERVATION; AMERICAN CONSERVATION; VALDEZ REMODELING & WEATHERIZATION, INC. (MBE); AMERICAN YOUTHWORKS; CONSERVATION SPECIALISTS OF AUSTIN, LLC; and GREAT AMERICAN INSULATION, INC., or other qualified offerors to Request For Proposal No. OPJ0116, for basic weatherization services in an amount not to exceed \$2,800,000 with four 12-month extension options in an amount not to exceed \$2,800,000 for a total amount not to exceed \$14,000,000. (Notes: This 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.)

This item was withdrawn on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

61. Authorize negotiation, and execution of an assumption of a 24-month contract with BRADFORD AIRPORT LOGISTICS, LTD. to provide dock management services for the Aviation Department in an amount not to exceed \$1,836,457, with three 12-month extension options in an amount not to exceed \$918,228 per extension option, for a total contract amount not to exceed \$4,591,142. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 3.3% DBE participation.)
- The motion authorizing the negotiation, and execution of an assumption of a contract with Bradford Airport Logistics, LTD. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.**

Item 62 was pulled for discussion.

63. Authorize negotiation and execution of Work Authorization No. 1 under a service contract with CBRE, INC. for facility space programming and analysis, financial analysis, and real estate brokerage services for various City facilities, increasing the contract amount for the current contract period in an amount not to exceed \$490,000, for a total contract amount not to exceed \$688,000. (Notes: This contract was 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.)

The motion authorizing the negotiation and execution of Work Authorization number one under a service contract with CBRE, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

Item 64 was pulled for discussion.

65. Approve issuance of a street event permit under City Code Chapter 14-8 for the 11th Annual Bat Fest, a fee-paid event in the 100 to the 300 block of the Ann W. Richards Congress Avenue Bridge between Cesar Chavez Street and Barton Springs Road to be held on Saturday, August 22, 2015. (District 9)
The motion to approve the issuance of a street event permit for the 11th Annual Bat Fest was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.
66. Approve an ordinance amending Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 45 miles per hour on a section of West Slaughter Lane from South Mopac Expressway to Escarpment Boulevard. (District 8)
Ordinance No. 20150618-066 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.
67. Approve an ordinance amending Section 12-4-64 (D) of the City Code to establish a maximum speed limit of 35 miles per hour on a section of Escarpment Boulevard from SH 45 to its terminus, south of SH45. (District 8)
Ordinance No. 20150618-067 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.
68. Approve an ordinance amending Section 12-4-64(D) of the City Code to add a 20 miles per hour school zone on a segment of Vargas Road for the safety of students attending Allan Idea Public School and to provide emergency passage. (District 3)
Ordinance No. 20150618-068 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.
69. Approve an ordinance amending Section 12-4-64(D) of the City Code to add a 20 miles per hour school zone on a segment of Homedale Drive for the safety of students attending Barton Hills Elementary School and to provide for emergency passage. (District 5)
Ordinance No. 20150618-069 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.
70. Approve issuance of a street closure permit under City Code Chapter 14-8 for 2nd Street District's White Linen Night, a fee-paid event in the 200 block of West 3rd Street, which will be held on Saturday, August 1, 2015 from 10:00 a.m. to 11:59 p.m. (District 9)
The motion to approve the issuance of a street closure permit for 2nd Street District's White Linen Night was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.
71. Approve a resolution authorizing the City Manager to submit a list of potential transportation projects to the Capital Area Metropolitan Planning Organization (CAMPO) as candidates for a federal grant application under the Transportation Alternatives Program administered through CAMPO.
Resolution No. 20150618-071 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais.
72. Approve an ordinance amending the Fiscal Year 2014-2015 Watershed Protection Department Operating Budget Special Revenue Fund (Ordinance No. 20140908-001) to accept and appropriate \$30,000 in grant funds from Austin Community Foundation for the implementation of invasive species removal on Shoal Creek in Pease Park.
Ordinance No. 20150618-072 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

73. Approve an ordinance amending the Fiscal Year 2014-2015 Watershed Protection Department Capital Budget (Ordinance No. 20140908-002) to increase appropriations by \$5,600,000 for the Waller Creek Tunnel. Related to Items #19, #74 and #104.
Ordinance No. 20150618-073 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Houston was off the dais.
74. Approve a resolution declaring the City of Austin's official intent to reimburse itself from Certificates of Obligation to be issued for expenditures relating to the Waller Creek Tunnel in the total amount of \$5,600,000. Related to Items #19, #73 and #104.
Resolution No. 20150618-074 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Houston was off the dais.
75. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members.
The following appointments and waivers were approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

Nominations

Board/NomineeAnimal Advisory Commission

Mike Kaviani

Nominated by

Council Member Troxclair

Asian American Quality ofLife Advisory Commission

Sonia Kotecha

Council Member Casar

Asian American Quality ofLife Advisory Commission

Thuy Nguyen

Council Member Gallo

Building & Fire Code Board of Appeals

John Kiracofe

Council Member Zimmerman

Building & Fire Code Board of Appeals

Mary Ingle

Mayor Pro Tem Tovo

Commission for Women

Karen Temborius

Council Member Gallo

Commission on Immigrant Affairs

Jose Gamboa

Council Member Renteria

Commission on Seniors

Mary Milam

Council Member Casar

Commission on Seniors

REGULAR COUNCIL MINUTES

THURSDAY, JUNE 18, 2015

Peter Varteressian

Council Member Troxclair

Community Development Commission

Bettye Taylor

St. John's Neighborhood Assoc.

Community Technology &

Telecommunications Commission

Tanner Vaughan

Council Member Troxclair

Early Childhood Council

Jenn Studebaker

Council Member Renteria

Economic Prosperity Commission

Wolfgang Niedert

Council Member Troxclair

Ethics Review Commission

Kenneth Smith

Council Member Zimmerman

Ethics Review Commission

Robert Stratmann

Council Member Troxclair

Historic Landmark Commission

Mary Jo Galindo

Council Member Houston

Historic Landmark Commission

Grace McKenzie

Council Member Kitchen

Mayor's Committee for People with Disabilities

Danny Saenz

Council Member Kitchen

Mechanical, Plumbing & Solar Board

Robert Thornton

Council Member Kitchen

Mexican American Cultural

Center Advisory Board

Juanita Tijerina

Council Member Kitchen

MBE/WBE Enterprise & Small Business Enterprise

Procurement Program Advisory Commission

Eliza May

Council Member Renteria

Resource Management Commission

Michael Wong

Council Member Casar

Resource Management Commission

James Dwyer

Council Member Zimmerman

Resource Management Commission

Andrew Gill

Council Member Gallo

Sustainable Food Policy Board

Kathy Green

Mayor Adler

Sustainable Food Policy Board

Sharon Mays

Mayor Adler

Zero Waste Advisory Commission

Kendra Bones

Council Member Casar

Zero Waste Advisory Commission

Jeff Jampietro

Council Member Zimmerman

Zero Waste Advisory Commission

Gerard Acuna

Council Member Gallo

Flood Mitigation Task Force

Ken Jacob

Council Member Kitchen

Flood Mitigation Task Force

Rollin MacRae

Council Member Kitchen

Waivers

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Peter Varteressian on the Commission for Seniors.

76. Approve an ordinance waiving or reimbursing certain fees and requirements, and authorizing payment of certain costs for the City co-sponsored Austin Symphony July 4th Concert and Fireworks event which will be held on July 4, 2015 at Auditorium Shores. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool CO 4: Council Member Ann Kitchen)

Ordinance No. 20150618-076 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

77. Approve an ordinance waiving or reimbursing certain fees and requirements under City Code Chapter 14-8, certain other fees and requirements, and authorizing payment of certain costs for the City co-sponsored Greater East Austin Youth Association's 2015 Juneteenth Parade and Celebration which is to be held on June 20, 2015, along East Martin Luther King, Jr. Boulevard, Comal Street, and Rosewood Avenue with a celebration at Rosewood Park. (Notes: SPONSOR: Council Member Ora Houston CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Gregorio Casar CO 3: Mayor Steve Adler)

Ordinance No. 20150618-077 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

Item 78 was set for a time certain of 6:30 p.m.

79. Approve an ordinance waiving or reimbursing fees for the 2015 Mother Earth Day Festival which was held Friday, May 8, 2015 at the Springs in Zilker Park. (Notes: SPONSOR: Council Member Leslie Pool

CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sabino "Pio" Renteria CO 3: Mayor Steve Adler)

Ordinance No. 20150618-079 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

80. Approve an ordinance amending City Code Section 2-1-127 relating to the Community Development Commission. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Ann Kitchen CO 3: Mayor Pro Tem Kathie Tovo: CO4: Council Member Pool.)

Ordinance No. 20150618-080 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Houston was off the dais.

81. Approve a resolution relating to the geographic areas for the Community Development Commission and designating the organizations making nominations to the Commission. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Ann Kitchen CO 3: Mayor Pro Tem Kathie Tovo: CO4: Council Member Pool.)

Resolution No. 20150618-081 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Houston was off the dais.

Action was taken on item 82 but was reconsidered later in the meeting. See below.

Items 83 and 94 were pulled for discussion.

85. Approve an ordinance waiving or reimbursing fees for the Larry Monroe Bridge Dedication event sponsored by the Larry Monroe Bridge Project which is to be held Saturday, June 20, 2015 on Eastside Drive. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Leslie Pool CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Gregorio Casar CO 4: Council Member Ann Kitchen)

Ordinance No. 20150618-085 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

86. Approve a resolution giving an honorary name to a bridge located between Big Stacy Neighborhood Park and Little Stacy Neighborhood Park in recognition of the legacy of Larry Monroe. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Gregorio Casar CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool)

Resolution No. 20150618-086 was approved on consent on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

87. Set a public hearing to consider an ordinance regarding floodplain variances for the construction of a new single family residence at 6109 Oakclaire Drive as requested by the owner of the property. The property is partially in the 25-year and 100-year floodplain of Gaines Creek, a tributary of Barton Creek (District 8). (Suggested date and time: August 6, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street).

The public hearing was set on consent for August 6, 2015 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

88. Set a public hearing to consider approval of an application and resolution to be submitted to the Texas Department of Housing and Community Affairs by Pedcor Investments, LLC, for a proposed affordable multi-family development to be called the Heights on Parmer Phase II, located at 1524 East Parmer Lane.

(Suggested date and time: August 6, 2015 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin TX)

The public hearing was set on consent for August 6, 2015 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

89. Set a public hearing to consider the use of dedicated parkland known as the Waller Creek Greenbelt, consisting of approximately 2,115 square feet for a permanent Red River Street above ground pedestrian walkway and approximately 8,832 square feet of temporary working space to construct, use, maintain, repair in accordance with Chapter 26 of the Texas Parks and Wildlife Code (District 9). (Suggested date and time, August 20, 2015, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX).

The public hearing was set on consent for August 20, 2015 at 4:00 p.m. at City Hall, 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston was off the dais.

Items 90 through 97 were items referred from Council Committees.

Item 98 was a briefing item set for 10:30 a.m.

Items 99 through 105 were Executive Session items.

Item 106 was the Austin Housing and Finance Corporation Meeting set for 3:00 p.m.

Items 107 through 110 were public hearing items set for 4:00 p.m.

ITEM(S) REFERRED FROM COUNCIL COMMITTEE(S)

97. Approve third reading of an ordinance amending City Code Chapters 15-2 and 15-9 relating to the drainage charge. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON MAY 21, 2015).

This item was postponed to June 25, 2015 on Council Member Kitchen's motion, Council Member Zimmerman's second on an 11-0 vote.

DISCUSSION ITEMS

59. Authorize award, negotiation and execution of a contract with PACE GLOBAL, a wholly-owned subsidiary of SIEMENS INDUSTRY, INC., or another qualified offeror to Request For Proposal No. GAL0021, for an independent review of Austin Energy's Resource, Generation and Climate Protection Plan in an amount not to exceed \$300,000. June 15, 2015 – On a 6-0 vote with Commissioner Rai absent, the Electric Utility Commission recommended Council to select one of the three highest rated offerors. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 5.0% MBE and 2.0% WBE participation.)

This item was postponed to June 25, 2015 on Mayor Pro Tem Tovo's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.

Items 10, 12, 14, 16 and 40 were acted on in a combined motion.

10. Authorize award and execution of a 12-month construction services contract with PEABODY GENERAL CONTACTORS, INC., for the Meter Upgrades Project for Austin Water in an amount not to exceed \$300,000, with two 12-month extension options in an amount not to exceed \$300,000 per extension option, for a total contract amount not to exceed \$900,000. (Notes: 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 6.09% MBE and 89.91% WBE participation.)

The motion authorizing the award and execution of a construction services contract with Peabody General Contractors, Inc. was approved on Council Member Pool's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.

12. Authorize negotiation and execution of a professional services agreement with MCKINNEY ARCHITECTS INC. dba MCKINNEY YORK ARCHITECTS (staff recommendation), or one of the other qualified responders to Request for Qualifications Solicitation No. CLMP176 to provide architectural services for the InVision Studios Project at the Austin Convention Center in an amount not to exceed \$250,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 18.00% MBE and 15.80% WBE participation.)

The motion authorizing the negotiation and execution of a professional services agreement with McKinney Architects Inc. doing business as McKinney York Architects was approved on Council Member Pool's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.

Action was taken on item 14 but was reconsidered later in the meeting. See below.

16. Authorize execution of a construction contract with FACILITIES REHABILITATION, INC. for the West Bank and Los Altos Lift Stations Rehabilitation Project in the amount of \$1,327,700 plus a \$66,385 contingency, for a total contract amount not to exceed \$1,394,085. June 10, 2015 – Approved by the Water and Wastewater Commission on a 5-0-2 vote with Commissioners Castleberry and Lee off the dais. (Notes: This contract will be awarded in compliance with the City Code Chapter 2-9A Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 67.95% MBE and 16.95% WBE participation.)

The motion authorizing the execution of a contract with Facilities Rehabilitation, Inc. was approved on Council Member Pool's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.

40. Authorize award, negotiation, and execution of a contract with SHEN MILSOM & WILKE LLC, or one of the other qualified responders to Request for Qualifications Statement JXH0700, to provide consulting services for an upgrade of the audiovisual system at the Emergency Operations Center in an amount not to exceed \$80,000. (Notes: This 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.)

The motion authorizing the award, negotiation and execution of a contract with Shen Milsom & Wilke LLC was approved on Council Member Pool's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.

Items 18, 29, 35, 39 and 51 were acted on in a combined motion.

18. Authorize negotiation and execution of an amendment to the professional services agreement with FOUND DESIGN LLC, dba MERJE, to provide design services for the Austin Downtown Wayfinding System in the amount of \$144,324 for a total contract amount not to exceed \$463,478. (Notes: This contract was awarded in compliance with City Code Chapter 2-9B Minority Owned and Women Owned

Business Enterprise Procurement Program by meeting the goals with 21.08% MBE and 21.96% WBE participation to date.)

This item was postponed to June 23, 2015 on Council Member Kitchen's motion, Council Member Zimmerman's second on a 6-3 vote. Those voting aye were: Council Members Gallo, Garza, Kitchen, Pool, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo and Council Member Renteria. Council Member Casar was off the dais. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.

29. Approve a resolution concerning renaming the Quick Start Tennis Courts at the Austin Tennis Center, located at 7800 Johnny Morris Road and repealing Resolution No. 20150507-008.
- This item was postponed to June 23, 2015 on Council Member Kitchen's motion, Council Member Zimmerman's second on a 6-3 vote. Those voting aye were: Council Members Gallo, Garza, Kitchen, Pool, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo and Council Member Renteria. Council Member Casar was off the dais. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.**
35. Authorize award and execution of a 60-month revenue contract with ALLEN CLICK to provide the cutting, baling, and sale of hay, and the harvest and sale of pecans for Austin Water for an estimated revenue of \$305,000, with one 60-month extension option with an estimated revenue of \$305,000, for a total estimated revenue amount of \$610,000. (Notes: This contract is exempt as specified in Texas Government Code Chapter 252.022.)
- This item was postponed to June 23, 2015 on Council Member Kitchen's motion, Council Member Zimmerman's second on a 6-3 vote. Those voting aye were: Council Members Gallo, Garza, Kitchen, Pool, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo and Council Member Renteria. Council Member Casar was off the dais. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.**
39. Authorize award, negotiation and execution of a 36-month contract with LAPTOPSANYTIME to provide a laptop and tablet kiosk distribution system for the Austin Public Library in an amount not to exceed \$85,361, with two 12-month extension options in an amount not to exceed \$7,437 each, for a total contract amount not to exceed \$100,235. (Notes: This contract will be awarded as a sole source and is exempt from City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program.)
- This item was postponed to June 23, 2015 on Council Member Kitchen's motion, Council Member Zimmerman's second on a 6-3 vote. Those voting aye were: Council Members Gallo, Garza, Kitchen, Pool, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo and Council Member Renteria. Council Member Casar was off the dais. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.**
51. Authorize award and execution of five contracts through the Texas Local Government Purchasing Cooperative (Buyboard) for light duty vehicles and equipment with CALDWELL COUNTRY CHEVROLET DBA BABY JACK II AUTOMOTIVE, LTD. in an amount not to exceed \$1,915,979; DEERE & COMPANY in an amount not to exceed \$106,717; GRAPEVINE DODGE CHRYSLER JEEP, LLC DBA GRAPEVINE DCJ, LLC in an amount not to exceed \$3,029,838; SILSBEE FORD, INC. in an amount not to exceed \$2,756,457; and WIRTGEN AMERICA in an amount not to exceed \$458,301, for a total amount not to exceed \$8,267,292. June 15, 2015 – Recommended by the Electric Utility Commission on a 6-0 vote, with Commissioner Rai absent. (Notes: This cooperative 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 contract.)

This item was postpone to June 23, 2015 on Council Member Kitchen's motion, Council Member Zimmerman's second on a 6-3 vote. Those voting aye were: Council Members Gallo, Garza, Kitchen, Pool, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo and Council Member Renteria. Council Member Casar was off the dais. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.

14. Authorize award and execution of a 24-month construction services contract with BILFINGER TEPSCO for chilled water piping construction on customer distribution sites in an amount not to exceed \$6,000,000, with three 12-month extension options in an amount not to exceed \$2,000,000 per extension option, for a total contract amount not to exceed \$12,000,000. (Notes: 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 10.94% MBE and 1.24% WBE participation.)

The motion authorizing the award and execution of a construction services contract with Bilfinger Tepsco was approved on Council Member Pool's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Houston was off the dais. Council Member Zimmerman abstained.

The motion to reconsider and postpone this item to June 23, 2015 was approved on Council Member Kitchen's motion, Council Member Gallo's second on a 7-3 vote. Those voting aye were: Mayor Adler and Council Members Casar, Gallo, Garza, Kitchen, Troxclair and Zimmerman. Those voting nay were: Mayor Pro Tem Tovo and Council Members Pool and Renteria. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.

ITEM(S) REFERRED FROM COUNCIL COMMITTEE(S)

94. Approve an ordinance relating to permitting requirements for non-peak hour concrete installation within portions of the Central Business District (CBD) and Public (P) zoning districts.

Ordinance No. 20150618-094 for option A was approved on Council Member Casar's motion, Council Member Gallo's second on a 10-0 vote. Council Member Houston was off the dais; upon her return to the dais requested the record show her in support of the motion.

BRIEFINGS

98. Briefing from the Living Wage Task Force.

The presentation was made by the following members of the Living Wage Task Force: Bob Batlan, Austin Interfaith; Carol Guthrie, AFSCME Local 1624; and Emilie Tim, Workers Defense Project.

CITIZEN COMMUNICATIONS: GENERAL

Chris Strand - Low Income consumer task force – **Not present when name was called.**

Rae Nadler-Olenick - Water Fluoridation

Al D'Andrea - Low income energy efficiency

Joseph Michael McCarthy - Housing

Cheryl Bradley - Budget funding for not-profit

Allen Roddy - Protecting our City Council

Daryl Horton - African-American Quality of Life.

Pat Johnson - Remember the oath you took when you swore on the bible to obey state law and city ordinances that you are asked to pass.

Carlos León - 1) GOD, Jesus Christ, and The Holy Spirit are alive, well and true. 2) Kick chemtrails to the curb; Keep Austin air free & clear 3) Losing your marbles - Part XII

Paul Robbins - City & Budget issues

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.

99. Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.
100. Discuss legal issues relating to the evaluation, negotiation, and award of purchasing contracts and to the Minority-Owned and Women-Owned Business Enterprise Procurement Program (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.
101. Discuss legal issues related to claims and final completion of Water Treatment Plant No. 4 Project. (Private consultation with legal counsel pursuant to 551.071 of the Government Code). Related to Items #5 and #24.
This item was withdrawn.
102. Discuss legal issues related to a challenge petition with the Appraisal Review Board for the Travis Central Appraisal District relating to commercial property values set by the Travis Central Appraisal District. (Private consultation with legal counsel - Section 551.071 of the Government Code). Related to Item #25.
This item was withdrawn.
103. Discuss legal issues related to Mercer et al v. City of Austin et al, Cause No. 1:13-cv-00830, in the United States District Court for the Western Division of Texas. (Private consultation with legal counsel - Section 551.071 of the Government Code) (Related to July 26, 2013 officer-involved shooting).
This item was withdrawn.
104. Discuss legal issues related to Waller Creek Tunnel Project (Private consultation with legal counsel - Section 551.071 of the Government Code). Related to Items #19, #73 and #74.
This item was withdrawn.
105. Discuss the negotiation and execution of a lease with Highstar Capital IV, L.P. for up to 30 acres of land at Austin-Bergstrom International Airport and the development of the site as an ultra-low-cost airport terminal (Deliberation regarding economic development negotiations - Section 551.087 of the Government Code and deliberation regarding real property - Section 551.072 of the Government Code).
This item was withdrawn.

Mayor Adler recessed the Council Meeting at 12:42 p.m.

Mayor Adler called the Council Meeting back to order at 1:29 p.m.

ITEM(S) REFERRED FROM COUNCIL COMMITTEE(S)

91. Approve a resolution directing the City Manager to analyze and bring forward policy options regarding implementation of the City's living wage policies for certain contractors and sub-contractors, including information about potential fiscal impacts for the fiscal year 2015-2016 budget.
Resolution No. 20150618-091 was approved with the following direction on Council Member Troxclair's Motion, Council Member Casar's second on a 10-1 vote. Council Member Zimmerman voted nay. Direction was given to staff to include a fiscal impact with increasing the dollar amount to \$13.00.
92. Approve an ordinance waiving fees for the development and construction of the Neenah Avenue Road Widening Project. (District 6).
Ordinance No. 20150618-092 was approved on Council Member Kitchen's Motion, Council Member Zimmerman's second on an 11-0 vote.

DISCUSSION ITEMS CONTINUED

2. Approve an ordinance amending City Code Chapter 15-9 regarding utility deferred payment agreements. June 15, 2015 – The Electric Utility Commission made no recommendation; the motion to approved failed on a 3-3-1 vote with Commissioners Hadden, Meijer, and Osborne voting against and Commissioner Rai absent.
This item was postponed to June 23, 2015 and June 25, 2015 on Council Member Houston's motion, Council Member Zimmerman's second on an 11-0 vote.
7. Approve an ordinance amending the Fiscal Year 2014-2015 Operating Budget (Ordinance No. 20140908-001) to re-appropriate funds from non-sworn positions vacant 12 months or longer.
There was a motion made by Council Member Troxclair and seconded by Council Member Zimmerman to approve the ordinance with the following amendment. The amendment was to have the ordinance read:
"Part 1. Council dissolves and re-appropriates funds from the following non-sworn positions that have been vacant for more than 12 months from the Fiscal Year 2014-2015 Operating Budget (Ordinance No. 20140908-001) to the Fiscal Year 2015-16 Operating Budget.
1. Building Services Department, Project Manager
2. Office of Real Estate Services, Assistant Manager
3. Public Works Transportation, Division Manager
4. Public Works Capital Projects, Project Manager
5. Public Works Capital Projects, Inspector C"

There was a friendly amendment made by Council Member Troxclair to amendment her original amendment by striking the original number two. The friendly amendment was accepted by Council Member Zimmerman, who made the second.

There was an amendment made by Council Member Troxclair and seconded by Council Member Renteria to freeze the funds for the original item number 3 until October 1, 2015. The amendment was approved on a vote of 9-1. Council Member Zimmerman voted nay. Council Member Garza abstained.

A recommendation was made by staff to revise the language to have the ordinance read: "Part 1. Council dissolves or freezes and re-appropriates funds from the following non-sworn positions that have been vacant for more than 12 months from the Fiscal Year 2014-2015 Operating Budget

(Ordinance No. 20140908-001) to the Fiscal Year 2014-2015 ending balance.” The recommendation was accepted by Council without objection.

Ordinance No. 20150618-007 was approved with the amendments and recommendation listed above on Council Member Troxclair’s motion, Council Member Zimmerman’s second on an 11-0 vote.

43. Authorize award, negotiation, and execution of a 12-month social services contract with the COUNCIL ON AT-RISK YOUTH to operate of a juvenile justice youth program for the Police Department in an amount not to exceed \$128,000. (Notes: This contract is exempt as specified in Texas Government Code Chapter 252.022.)

This item was postponed to June 23, 2015 on Council Member Casar’s motion, Council Member Zimmerman’s second on a 6-5 vote. Those voting aye were: Council Members Casar, Gallo, Garza, Houston, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Kitchen, Pool and Renteria.

62. Authorize award, negotiation, and execution of two 12-month contracts for Request for Proposal No. PAX0124 with FRONT STEPS, INC. to provide temporary housing services, peer to peer support, on-call case management support, and life skills training and with ANEWENTRY, INC. to provide temporary housing services, peer to peer support, and life skills training in an amount not to exceed \$304,058 combined, with four 12-month extension options in an amount not to exceed \$304,058 per extension option combined, for total contracts amount not to exceed \$1,520,290 combined. (Notes: This 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.)

This item was postponed to June 23, 2015 on Council Member Zimmerman’s motion, Council Member Houston’s second on a 10-0 vote. Council Member Pool was off the dais.

64. Authorize award, negotiation, and execution of a 12-month service contract with MORRIS & MACDANIEL, INC., or another qualified offeror to Request for Proposal No. FP EAD0117REBID, for Cadet hiring administration for the Austin Fire Department in an amount not to exceed \$400,000, with five 12-month extension options in an amount not to exceed \$400,000 for each extension option, for a total contract amount not to exceed \$2,400,000. (Notes: This 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.)

This item was postponed to June 25, 2015 on Council Member Casar’s motion, Council Member Zimmerman’s second on an 11-0 vote.

Mayor Adler recessed the Council Meeting and called the Board of Directors’ Meeting of the Austin Housing Finance Corporation to order at 4:32 p.m. See separate minutes.

Mayor Adler called the Council Meeting back to order at 4:40 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

107. 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.

This item was postponed to August 20, 2015 without objection.

Items 96 and 108 were acted on in a combined motion.

96. Approve an ordinance amending City Code Title 25 changing regulations for secondary dwellings (also known as accessory dwelling units). Related to Item #108.

The first reading of the ordinance was approved with the Planning Commission's recommendations on Council Member Casar's motion, Council Member Renteria's second on a 10-1 vote. Council Member Houston voted nay.

108. Conduct a public hearing and consider an ordinance amending City Code Title 25 changing regulations for secondary dwellings (also known as accessory dwelling units). Related to Item #96.
The public hearing was conducted and the motion to close the public hearing was approved on Council Member Casar's motion, Council Member Renteria's second on a 10-1 vote. Council Member Houston voted nay. The listed ordinance was duplicated and approved on first reading with item 96.

The motion to leave the public hearing open failed on Council Member Zimmerman's motion, Council Member Houston's second on a 4-7 vote. Those voting aye were: Mayor Pro Tovo and Council Members Garza, Houston and Zimmerman. Those voting nay were: Mayor Adler and Council Members Casar, Gallo, Kitchen, Pool, Renteria and Troxclair.

Mayor Adler recessed the Council Meeting at 5:45 p.m.

LIVE MUSIC

Julian Acosta

PROCLAMATIONS

Proclamation -- Love Your Rescue Pet Day -- to be presented by Mayor Steve Adler and to be accepted by Ellen Jefferson

Proclamation -- Larry Monroe Day (In Memoriam) -- to be presented by Mayor Pro Tem Kathie Tovo and to be accepted by Ave Bonar and Friends of Larry Monroe

Distinguished Service Award (retirement) -- David Juarez, Austin Water Utility -- to be presented by Mayor Steve Adler and to be accepted by the honoree

Proclamation -- Bollywood Day -- to be presented by Mayor Steve Adler and to be accepted by Prakash Mohandas

Proclamation -- Girl Scout Troop 668 Bronze Award Project -- to be presented by Mayor Steve Adler and to be accepted by the honorees

Proclamation -- Lynn Cooksey Day -- to be presented by Mayor Steve Adler and Council Member Sheri Gallo and to be accepted by the honoree

Mayor Adler called the Council Meeting back to order at 6:57 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTIONS CONTINUED

109. Conduct a public hearing and consider a request by Tiny Boxwoods LLC d/b/a Tiny Boxwoods, located at 1503 W. 35th Street, for a waiver of the distance requirement of City Code Section 4-9-4(A), which requires a minimum of 300 feet between a business that sells alcoholic beverages and a school (District 10).
The public hearing was conducted and the motion to close the public hearing and approve waiver of the distance requirement was approved on Council Member Pool's motion, Council Member Zimmerman's second on a 10-1 vote. Council Member Houston voted nay.

There was an amendment made by Council Member Gallo to include the condition that “the waiver is good as long as the alcohol sales remain below 20%.” The amendment was later withdrawn by Council Member Gallo.

110. Conduct a public hearing and consider an ordinance regarding CenterPoint Energy Resources' proposal to increase customer rates.

The public hearing was conducted and the motion to close the public hearing and approve Ordinance No. 20150618-110 was approved on Council Member Kitchen’s motion, Council Member Pool’s second on a 10-0 vote. Council Member Zimmerman abstained.

DISCUSSION ITEMS CONTINUED

82. Approve an ordinance waiving or reimbursing fees for the Cristo Rey Jamaica event sponsored by Cristo Rey Parish which was held Sunday, June 7, 2015 at the Oswaldo A.B. Cantu/Pan American Recreation Center. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Mayor Steve Adler CO 2: Council Member Gregorio Casar CO 3: Council Member Ora Houston: CO4: Council Member Pool.)
Ordinance No. 20150618-082 was approved on consent on Council Member Zimmerman’s motion, Council Member Pool’s second on an 11-0 vote.

The motion to reconsider the item was approved on Council Member Renteria’s motion on an 11-0 vote.

Ordinance No. 20150618-082 was approved with the following amendment on Council Member Renteria’s motion, Council Member Houston’s second on an 11-0 vote.

The amendment was to change the date from June 7, 2015 to July 7, 2015.

83. Approve a resolution amending Resolution No. 20140807-114 and directing the City Manager to negotiate and execute an amendment to the existing parkland improvement and use agreement with West Austin Youth Association. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Don Zimmerman)
This item was postponed to June 23, 2015 and June 25, 2015 on Council Member Pool’s motion, Council Member Zimmerman’s second on a 10-0 vote. Council Member Casar was off the dais.

90. Authorize the award, negotiation, and execution of three 24-month contracts with KEMA, INC., GDS ASSOCIATES, INC. and LEIDOS INC., or one of the other qualified offerors to RFP No. OPJ0112, for demand side management consulting services in an amount not to exceed \$1,000,000 each and combined with two 12-month extension options in an amount not to exceed \$500,000 each and combined, for a total amount not to exceed \$2,000,000. (Notes: This 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. (Purchasing - Item #20 on February 26, 2015))

The motion authorizing the award, negotiation and execution of three contracts with Kema, Inc.; GDS Associates, Inc. and Leidos Inc. was approved on Council Member Garza’s motion, Council Member Kitchen’s second on a 10-0 vote. Council Member Zimmerman abstained.

78. Approve a resolution relating to short-term rentals. (Notes: SPONSOR: Council Member Sheri Gallo CO 1: Mayor Steve Adler CO 2: Council Member Ann Kitchen CO 3: Council Member Sabino "Pio" Renteria CO 4: Council Member Ellen Troxclair)
There was a motion made by Council Member Gallo and seconded by Council Member Troxclair to approve the resolution.

There was a motion made by Council Member Casar and seconded by Council Member Gallo to amend the resolution as follows. The motion was approved on a 9-0 vote. Council Members Houston and Zimmerman abstained.

The amendment was to add a new “Be It resolved” to read:

“BE IT RESOLVED

The City Council directs the City Manager to bring forth a resolution at the August 20, 2015 Council Meeting to initiate code amendments to incorporate the proposed City Code amendments submitted by the Code Department. Those proposed code amendments are:

1. Add a penalty for operating without a license
 - Noncompliance Penalty
 - Equal to the cost of an Operating License;
 - Collected in addition to the Operating License Fee; and
 - Would encourage compliance with the ordinance
2. Occupancy Limit Statement
 - Effective April 1, 2016, all STR Advertisements or promotions must include the following statement:
 - It is a violation of city code to allow more than six (6) unrelated adults to occupy the dwelling at one time.
 - In the interim, no more than six (6) unrelated adults may reside in a dwelling unit, except in the area defined in Subchapter F: Residential Design and Compatibility Standards Section 1.2.1
3. Add a penalty for operating with an expired license
 - Noncompliance Penalty
 - Equal to the cost of an Operating License;
 - Collected in addition to the Operating License Fee;
 - To encourage the timely renewal of licenses; and
 - Decrease wait list time in capped areas (Type 2 and Type 3)
4. Add an inspection requirement for STRs
 - To investigate complaints regarding over occupancy and compliance with other applicable laws”

Resolution No. 20150618-078 was approved with the amendment listed above on Council Member Gallo’s motion, Council Member Troxclair’s second on a 10-1 vote. Council Member Zimmerman voted nay.

84. Approve a resolution creating an Austin-Travis County Intergovernmental Working Group and appointing its members to make recommendations regarding a location, governance structure and funding plan for a sobering center and directing the City Manager to return to Council for approval of funding to be incorporated in the Fiscal Year 2016 budget sufficient to advance progress toward establishing a sobriety center.

There was a motion made by Mayor Pro Tem Tovo and seconded by Council Member Renteria to approve the resolution.

There was a friendly amendment made by Council Member Troxclair to amend the last BE IT RESOLVED to read, “The City Manager is directed to return to Council by June 25, 2015, for consideration of funding...”. The friendly amendment was accepted by the maker of the motion and Council Member Renteria, who made the second.

There was an amendment made by Council Member Troxclair and seconded by Council Member Zimmerman to amend the first BE IT RESOLVED to read “The City Council regards the creation

of a sobriety center as a city and community priority.” The amendment failed on a vote of 3-7. Those voting aye were: Council Members Houston, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Gallo, Garza, Kitchen and Renteria. Council Member Pool was off the dais.

There was a friendly amendment made by Council Member Kitchen to revise the last BE IT RESOLVED to change the date from June 25, 2015 to July 30, 2015. The friendly amendment was accepted by the maker of the motion and Council Member Renteria, who made the second. Direction was given to staff to return this item at the same time as the budget.

Resolution No. 20150618-084 was approved with the amendments listed above on Mayor Pro Tem Tovo’s motion, Council Member Renteria’s second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Pool was off the dais; upon her return to the dais requested the record show her support of the motion.

95. Approve a resolution affirming CodeNEXT Approach 2.5, relating to the degree to which the Land Development Code will be amended.

Resolution No. 20150618-095 was approved as amended on Council Member Garza’s motion, Council Member Casar’s second on a 10-0 vote. Council Member Zimmerman abstained.

The amendments including the amendment proposed by Council Member Pool relating to Green Infrastructure and Sustainable Water Management should read as follows.

“WHEREAS, the Texas Local Government Code Chapter 213 authorizes the governing body of a municipality to adopt a comprehensive plan for the long-range development of the municipality; and

WHEREAS, Article X, Sections 1 and 5 of the City Charter authorizes the City Council to adopt a comprehensive plan and directs the City Council to establish comprehensive planning as a continuous and ongoing governmental function; and

WHEREAS, Article X, Sections 1 and 5 of the City Charter requires that Austin’s land development regulations be consistent with the comprehensive plan; and

WHEREAS, on June 14, 2013 the City Council adopted the Imagine Austin Comprehensive Plan; and

WHEREAS, the Imagine Austin Comprehensive Plan recommends revisions to the Austin Land Development Code in order to promote a compact and connected city, and protect and preserve existing neighborhoods and the natural environment; and

WHEREAS, CodeNEXT is the City of Austin initiative to revise the Land Development Code as recommended in Imagine Austin which will provide clear direction for determining appropriate and beneficial land use decisions for our City; and

WHEREAS, the CodeNEXT Diagnostic Report found that Austin’s current Land Development Code suffers from a number of deficiencies including, but not limited to: outdated base zoning standards; competing and contradicting layers of regulation which facilitate confusion for land use applicants attempting to comply with all regulations; an ambiguous and complicated “opt-in, opt-out” system; lack of clarity regarding approach for expanding affordable housing; auto-centric regulations, misalignment with Imagine Austin; usability challenges; ineffective digital format; unfavorable to function City departmental structures; and incomplete and complicated administrative guidelines and procedures; and

WHEREAS, the CodeNEXT Approach report presented three alternative approaches for amending the existing code ranging from Approach 1 to Approach 3; and

WHEREAS, on November 20, 2014, the City Council approved an approach that blended Approach 2 and Approach 3, and thus was dubbed “Approach 2.5” which: 1) provides for extensive rewrite of the code wherever appropriate; 2) includes as many by-right development opportunities as deemed appropriate; 3) applies form-based code to selected areas first; and 4) develops an implementation timeline for applying form-based code to other areas; and

**WHEREAS, on November 20, 2014, the City Council also approved Approach 2.5 with a focus on Green Infrastructure and Sustainable Water Management; and
WHEREAS, City Staff recommends the reaffirmation and endorsement of Approach 2.5; NOW
THEREFORE,
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN
The City Council Affirms the November 20, 2014 Council action regarding Approach 2.5.”**

93. Approve a resolution relating to expenditure of the Capital Metro 1/4 Cent funds to pay for infrastructure improvements to improve mobility throughout the city. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Sheri Gallo CO 2: Council Member Don Zimmerman CO 3: Council Member Delia Garza)

Resolution No. 20150618-093 was approved with the following amendment and direction on Council Member Kitchen’s Motion, Council Member Garza’s second on a 10-0 vote. Council Member Houston abstained.

There was an amendment made by Council Member Gallo and seconded by Council Member Kitchen to add a new “BE IT FURTHER RESOLVED” The amendment was approved on a vote of 11-0.

The amendment should read as follows:

“BE IT FURTHER RESOLVED:

Council Members funds used within the Neighborhood Partnering Program to the extent the projects meet the same transportation related criteria as outlined in this resolution.”

Direction was given to staff to provide Council with the criteria for the Neighborhood Partnering Program and the relationship between the Parking District program and the Neighborhood Partnering Program specifically if parking revenue could be used as a match under the Neighborhood Partnering Program.

Mayor Adler adjourned the meeting at 9:30 p.m. without objection.

The minutes were approved on this the 6th day of August 2015 on Council Member Zimmerman’s motion, Council Member Gallo’s second on an 11-0 vote.