

**AUSTIN CITY COUNCIL
MINUTES****SPECIAL CALLED MEETING
THURSDAY, JUNE 25, 2015**

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 special called meeting on Thursday, June 25, 2015 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 11:33 a.m. Council Member Houston was absent.

CONSENT AGENDA

There was no item 1.

2. Approve an ordinance amending City Code Chapter 15-9 regarding utility deferred payment agreements.
This item was approved by Council on Tuesday, June 23, 2015.

Item 3 was pulled for discussion.

4. 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 approved by Council on Tuesday, June 23, 2015.
5. 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 and a waterline easement, dedication of public access easements, relocation of utilities at the developer's expense, and concurrent dedication by plat of new right-of-way (District 9).
This item was approved by Council on Tuesday, June 23, 2015.
6. 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 approved by Council on Tuesday, June 23, 2015.

Items 7 and 8 were pulled for discussion.

9. 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.
This item was approved by Council on Tuesday, June 23, 2015.
10. 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 approved by Council on Tuesday, June 23, 2015.
11. 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.
This item was approved by Council on Tuesday, June 23, 2015.
12. 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. (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 approved by Council on Tuesday, June 23, 2015.
13. 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. Per the City's Small and Minority Resources Department, no subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
This item was approved by Council on Tuesday, June 23, 2015.
14. Authorize award, negotiation and execution of 12-month contracts with McCULLOUGH HEATING & A/C, INC.; 360 ENERGY SAVERS, LLC; RAM'S WEATHERIZATION & CONSTRUCTION, LLC; 1st CHOICE ENERGY, LLC; GOOD NEIGHBOR MANAGEMENT DBA CITY CONSERVATION; ENERGY GUYS LLC; AMERICAN CONSERVATION & AIR INC.; AIRTECH ENERGY SYSTEMS, INC.; CONSERVATION SPECIALIST OF AUSTIN LLC; GREAT AMERICAN INSULATION, INC.; AMERICAN YOUTHWORKS; VALDEZ REMODELING & WEATHERIZATION, INC. (MBE); and EFFICIENT ENERGY ENTERPRISES, INC. DBA GO GREEN SQUADS (WBE), or one of the other qualified responders to Request For Proposal No. OPJ0116, for basic weatherization services in an amount not to exceed \$2,800,000 each and combined, with four 12-month extension options in an amount not to exceed \$2,800,000 each and combined, for a

total contract amount not to exceed \$14,000,000 each and 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 approved by Council on Tuesday, June 23, 2015.

Item 15 was pulled for discussion.

16. Approve a resolution directing the City Manager to partner with Austin's school districts in the promotion of pre-kindergarten enrollment. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Delia Garza CO 2: Council Member Ora Houston CO 3: Mayor Steve Adler)

This item was approved by Council on Tuesday, June 23, 2015.

17. Approve an ordinance waiving or reimbursing fees and authorizing payment of certain other costs under City Code Chapter 14-8 for the North Shoal Creek Neighborhood July 4th Independence Day Parade and Celebration sponsored by the North Shoal Creek Neighborhood Association, which is to be held on Saturday, July 4, 2015 on the streets surrounding Pillow School. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Mayor Steve Adler CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Gregorio Casar CO 4: Council Member Sheri Gallo)

This item was approved by Council on Tuesday, June 23, 2015.

18. Approve a resolution relating to the location of Fun Fun Fun Fest on Auditorium Shores. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Leslie Pool)

This item was postponed to August 6, 2015 without objection.

Item 19 was pulled for discussion.

20. 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)

This item was approved by Council on Tuesday, June 23, 2015.

Items 21 and 22 were items referred from Council Committees.

Item 23 was an Executive Session item.

Item 24 was a discussion item.

Item 25 was a public hearing item set for 2:00 p.m.

DISCUSSION ITEMS

3. 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 Casar's motion, Council Member Gallo's second on a 10-0 vote. Council Member Houston was absent.

7. Authorize award, negotiation, and execution of a 12-month service contract with MORRIS & MCDANIEL, INC., or another qualified offeror to Request for Proposal No. 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.)
The motion authorizing the award, negotiation and execution of a service contract with Morris & McDaniel, Inc. was approved on Council Member Pool's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Houston was absent.
8. 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. (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.)
The motion authorizing the award, negotiation and execution of a contract with Navigant Consulting Inc. was approved on Council Member Pool's motion, Council Member Casar's second on a 7-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Garza, Kitchen, Pool and Renteria. Those voting nay were: Council Members Gallo, Troxclair and Zimmerman. Council Member Houston was absent.
15. 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 a 10-0 vote. Council Member Houston was absent.

Nominations

Board/Nominee

Nominated by

African American Resource
Advisory Commission
Kenneth Thompson

Mayor Adler

African American Resource
Advisory Commission
Aaron Whatley

Council Member Garza

African American Resource
Advisory Commission
Michael Lee

Council Member Zimmerman

African American Resource
Advisory Commission
Garfield Landry

Council Member Gallo

Airport Advisory Commission

Vicky Sepulveda

Mayor Adler

Airport Advisory Commission

Ernest Saulmon

Council Member Gallo

Animal Advisory Commission

Larry Tucker

Council Member Casar

Arts Commission

Elizabeth White

Council Member Troxclair

Arts Commission

Lulu Flores

Mayor Pro Tem Tovo

Asian American Quality of Life

Advisory Commission

Richard Jung

Mayor Adler

Asian American Quality of Life

Advisory Commission

Nu Chanpheng

Council Member Garza

Austin-Travis County EMS Advisory Board

Lisa Harris

Mayor Adler

Austin-Travis County EMS Advisory Board

Tracy Dalbosco

Mayor Adler

Board of Adjustment

Angela Atwood

Council Member Casar

Board of Adjustment

Melissa Neslund

Council Member Troxclair

Board of Adjustment

Michael Von Ohlen

Council Member Gallo

Building & Fire Code Board of Appeals

Danny McNabb

Mayor Adler

Building & Fire Code Board of Appeals

Ben Abzug

Council Member Renteria

Building & Fire Code Board of Appeals

Darryl Pruett

Council Member Troxclair

Building & Standards Commission

SPECIAL CALLED MEETING MINUTES

THURSDAY, JUNE 25, 2015

Abraham Cohen

Mayor Adler

Building & Standards Commission

John McIntyre

Council Member Zimmerman

Building & Standards Commission-Panel 2

Natalya Sheedan

Mayor Adler

Building & Standards Commission-Panel 2

John Green

Council Member Casar

Building & Standards Commission-Panel 2

John Hay III

Council Member Gallo

Commission for Women

Julia Cuba Lewis

Mayor Adler

Commission for Women

Ginny Lewis

Council Member Troxclair

Commission on Immigrant Affairs

Pedro Villalobos

Mayor Adler

Commission on Immigrant Affairs

Rosalia Austin

Council Member Troxclair

Commission on Immigrant Affairs

Elizabeth Hartman

Council Member Gallo

Commission on Immigrant Affairs

Karen Crawford

Travis County Commissioners Court

Commission on Seniors

Joyce Lauck

Council Member Gallo

Commission on Veterans Affairs

Phillip Gutierrez

Council Member Troxclair

Commission on Veterans Affairs

Douglas O'Connell

Council Member Gallo

Community Development Commission

Fred McGhee

Mayor Adler

Community Development Commission

Joe Deshotel

Mayor Adler

Community Development Commission

Edward McHorse

Mayor Adler

SPECIAL CALLED MEETING MINUTES

THURSDAY, JUNE 25, 2015

Community Development Commission
Fisayo Fadelu

Mayor Adler

Community Development Commission
Rocio Villalobos

Mayor Adler

Community Development Commission
Karen Paup

Mayor Adler

Community Technology &
Telecommunications Commission
Natalie Coefield

Mayor Adler

Construction Advisory Committee
Gregory Sindelar

Council Member Troxclair

Construction Advisory Committee
Stephanie Gharakhanian

Mayor Pro Tem Tovo

Construction Advisory Committee
R. Carson Fisk

Council Member Gallo

Design Commission
Evan Taniguchi

Mayor Adler

Design Commission
David Carroll

Council Member Houston

Design Commisison
Bart Whatley

Mayor Pro Tem Tovo

Downtown Austin Community Court
Advisory Commission
Sara Clark

Mayor Adler

Downtown Austin Community Court
Advisory Commission
Brittain Ayres

Council Member Casar

Downtown Austin Community Court
Advisory Commission
Darilynn Cardona-Beiler

Council Member Kitchen

Early Childhood Council
Lawrence Elsner

Mayor Pro Tem Tovo

Early Childhood Council
Kyle Holder

Council Member Gallo

SPECIAL CALLED MEETING MINUTES

THURSDAY, JUNE 25, 2015

Economic Prosperity Commission
Orlando Segura

Mayor Adler

Economic Prosperity Commission
Roberto Rondero de Mosier

Council Member Renteria

Economic Prosperity Commission
Amy Cobb

Council Member Casar

Economic Prosperity Commission
Eric Stratton

Council Member Zimmerman

Economic Prosperity Commission
Holt Lackey

Council Member Gallo

Electric Board
Christian Wagner

Mayor Adler

Electric Board
Robert Schmidt

Council Member Casar

Electric Board
Steven Pomikahl

Mayor Pro Tem Tovo

Electric Utility Commission
Cary Ferchill

Mayor Adler

Environmental Commission
Brian Smith

Mayor Adler

Environmental Commission
Erin Gooch

Council Member Casar

Environmental Commission
Richard Grayum

Council Member Gallo

Ethics Review Commission
Dennis Speight

Mayor Adler

Ethics Review Commission
Meagan Harding

Mayor Pro Tem Tovo

Hispanic/Latino Quality of Life
Resource Advisory Commission
Maria Rios

Mayor Adler

Hispanic/Latino Quality of Life
Resource Advisory Commission
Jill Ramirez

Council Member Renteria

Hispanic/Latino Quality of Life
Resource Advisory Commission

Yvette Ruiz

Council Member Gallo

Historic Landmark Commission

Blake Tollett

Mayor Adler

Historic Landmark Commission

Emily Reed

Mayor Pro Tem Tovo

Human Rights Commission

Sareta Davis

Mayor Adler

Human Rights Commission

Isabel Casas

Council Member Garza

Human Rights Commission

Tucker Royall

Council Member Troxclair

Human Rights Commission

Joe Miguez

Council Member Gallo

Impact Fee Advisory Committee

Dick Kallerman

Mayor Adler

Impact Fee Advisory Committee

Kris Bailey

Mayor Adler

Impact Fee Advisory Committee

Susan Turrieta

Mayor Adler

Impact Fee Advisory Committee

Huey Fischer

Mayor Adler

Library Commission

Patricia Dabbert

Mayor Adler

Library Commission

Lynne Wiggins

Council Member Gallo

Mayor's Committee for
People with Disabilities

Robin Orłowski

Mayor Adler

Mayor's Committee for
People with Disabilities

Andrew Harris

Council Member Renteria

SPECIAL CALLED MEETING MINUTES

THURSDAY, JUNE 25, 2015

Mayor's Committee for
People with Disabilities
Rick Hair

Council Member Zimmerman

Mayor's Committee for
People with Disabilities
Brian Owens

Council Member Troxclair

Mayor's Committee for
People with Disabilities
Deborah Trejo

Mayor Pro Tem Tovo

Mayor's Committee for
People with Disabilities
Diane Kearns-Osterweil

Council Member Gallo

MBE/WBE and Small Business Enterprise
Procurement Program Advisory Committee
Caroline Espinosa

Council Member Troxclair

Mechanical, Plumbing & Solar Board
Jerry Garza

Mayor Adler

Mechanical, Plumbing & Solar Board
Joseph Cooper

Council Member Houston

Mechanical, Plumbing & Solar Board
Stephen Cox

Council Member Renteria

Mechanical, Plumbing & Solar Board
William Harris, Jr.

Council Member Gallo

Mexican American Cultural
Center Advisory Board
Ruth Powers

Council Member Gallo

Music Commission
Buddy Quaid

Council Member Gallo

Planning Commission
James Shieh

Mayor Adler

Planning Commission
Stephen Oliver

Mayor Adler

Planning Commission
Patricia Seeger

Council Member Gallo

Public Safety Commission

SPECIAL CALLED MEETING MINUTES

THURSDAY, JUNE 25, 2015

Kim Rossmo

Mayor Adler

Public Safety Commission

Ernest Pedraza

Council Member Garza

Resource Management Commission

Jennifer Cregar

Mayor Adler

Resource Management Commission

Kaiba White

Council Member Garza

Resource Management Commission

Patrick Moore

Council Member Renteria

Robert Mueller Municipal Airport Plan
Implementation Advisory Commission

Rick Krivoniak

Mayor Adler

Robert Mueller Municipal Airport Plan
Implementation Advisory Commission

Carol Drennan

Council Member Renteria

Robert Mueller Municipal Airport Plan
Implementation Advisory Commission

Paul Byars

Council Member Gallo

Sustainable Food Policy Board

Errol Schweizer

Mayor Adler

Sustainable Food Policy Board

Alexandra Evans

Mayor Adler

Sustainable Food Policy Board

Jessica Gaffney

Mayor Adler

Urban Renewal Board

Michael-Clark Madison

Mayor Adler

Urban Renewal Board

Joseph Babb

Mayor Adler

Urban Transportation Commission

Vicente Mantero

Council Member Gallo

Water & Wastewater Commission

William Moriarty

Mayor Adler

Water & Wastewater Commission

Travis Michel

Council Member Renteria

SPECIAL CALLED MEETING MINUTES

THURSDAY, JUNE 25, 2015

Water & Wastewater Commission

Edward Douglass

Council Member Zimmerman

Water & Wastewater Commission

Mickey Fishbeck

Mayor Pro Tem Tovo

Water & Wastewater Commission

Susan Turrieta

Council Member Gallo

Zero Waste Advisory Commission

Daniela Ochoa Gonzalez

Mayor Adler

Zero Waste Advisory Commission

Joshua Blaine

Council Member Houston

Zero Waste Advisory Commission

Shana Joyce

Council Member Troxclair

Zero Waste Advisory Commission

Heather-Nicole Hoffman

Mayor Pro Tem Tovo

Zoning & Platting Commission

Yvette Flores

Mayor Adler

Zoning & Platting Commission

Jackie Goodman

Council Member Garza

Zoning & Platting Commission

Jolene Kiolbassa

Mayor Pro Tem Tovo

Zoning & Platting Commission

Susan Harris

Council Member Gallo

Austin Integrated Water Resource

Planning Community Task Force

Diane Kennedy

Council Member Gallo

Flood Mitigation Task Force

Robert Henneke

Council Member Troxclair

Flood Mitigation Task Force

Matthew Rienstra

Council Member Troxclair

Parkland Events Task Force

Colin Wallis

Mayor Adler

Parkland Events Task Force

Diego Martinez-Moncada

Council Member Casar

Task Force on Community Engagement

Irfan Syed

Mayor Adler

Task Force on Community Engagement

Chris Howe

Council Member Zimmerman

Task Force on Community Engagement

Jason Bram

Council Member Troxclair

Land Development Code Advisory Group

Jackie Goodman

Council Member Garza

Waivers

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Kaiba White. The waiver allows his simultaneous service on the Zero Waste Advisory Commission and Resource Management Commission.

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Susan Turrieta. The waiver allows his simultaneous service on the Impact Fee Advisory Committee and Water & Wastewater Commission.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Richard Jung on the Asian American Quality of Life Advisory Commission.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Danny McNabb on the Building & Fire Code Board of Appeals.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Steven Pomikahl on the Electric Board.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Robert Schmidt on the Electric Board.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Darilynn Cardona-Beiler on the Downtown Austin Community Court Advisory Commission.

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

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of William Moriarty on the Water & Wastewater Commission.

There was a motion made by Council Member Zimmerman to approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Jackie Goodman. The waiver allows her simultaneous service on the Land Development Code Advisory Group and the Zoning & Platting Commission.

The following appointments and waivers were approved on an 8-0 vote. Mayor Adler and Council Member Zimmerman abstained. Council Member Houston was absent.

Nominations

Board/Nominee

Nominated by

African American Resource Advisory Commission
Jessica Faith Carter

Mayor Pro Tem Tovo

Building & Standards Commission
Kurt Cadena-Mitchell

Mayor Pro Tem Tovo

Community Technology &
Telecommunications Commission
Betsy Greenberg

Mayor Pro Tem Tovo

Design Commission
Ben Lukins

Council Member Gallo

Downtown Austin Community Court Advisory Committee
Elizabeth Brenner

Mayor Pro Tem Tovo

Human Rights Commission
Naiara Leite da Silva

Mayor Pro Tem Tovo

Mexican American Cultural
Center Advisory Board
Julia Aguilar

Mayor Pro Tem Tovo

MBE/WBE Enterprise and Small
Business Enterprise Procurement
Program Advisory Commission
Schiller Liao

Mayor Pro Tem Tovo

Parkland Event Task Force
Mike Joyce

Council Member Troxclair

Public Safety Commission
Ed Scruggs

Mayor Pro Tem Tovo

Water & Wastewater Commission
Melissa Blanding

Council Member Troxclair

19. 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)
Resolution No. 20150625-019 was approved on Council Member Renteria's motion, Council Member Gallo's second on a 10-0 vote. Council Member Houston was off the dais.

ITEM(S) REFERRED FROM COUNCIL COMMITTEE(S)

22. Approve a resolution directing the City Manager to create, for purposes of public access, an online system consisting of a downloadable and searchable database, capable of standard querying, for campaign finance filings.

Resolution No. 20150625-022 was approved on Council Member Pool's motion, Mayor Adler's second on a 10-0 vote. Council Member Houston was off the dais.

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.

23. 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.

Mayor Adler recessed the Council Meeting at 12:26 p.m.

Mayor Adler called the Council Meeting back to order at 2:09 p.m.

DISCUSSION

24. Discuss process for evaluating Council appointees.

The presentation was made by Mark Washington, Director of the Human Resources Department.

ITEM(S) REFERRED FROM COUNCIL COMMITTEE(S) CONTINUED

21. 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).

There was a motion made by Council Member Kitchen and seconded by Council Member Zimmerman to approve the ordinance.

There was an amendment made by Council Member Kitchen and seconded by Council Member Zimmerman to amend Part 6, Section 15-2-7 by adding a new Subsection C to read, "(C) After computing the monthly drainage charge as described in subsections (A) and (B), the monthly drainage charge for single family residential properties may be modified by limiting any increase in the charge to be assessed October 1, 2015 – October 1, 2016 as compared to the charge assessed October 1, 2014 – October 1, 2015 by a percentage, if established by separate ordinance."

The amendment passed on a vote of 10-0. Council Member Houston was absent.

There was an amendment made by Council Member Kitchen and seconded by Council Member Zimmerman to read as follows. The amendment passed on a vote of 9-0. Mayor Adler was off the dais. Council Member Houston was absent.

The amendment was to add a new Subsection (C) to Part 4, Section 15-2-5 and renumber and amend Part 9, Section 15-2-12 as follows.

"Part 4, Section 15-2-5,

C) The percentage of impervious cover on a benefitted property may be calculated on a composite basis with another benefitted property if:

- (1) The properties together constitute a condominium regime; or
- (2) The properties were legally developed together as one site as evidenced by a unified development agreement, city site plan, or other acceptable documentation.

“Part 9, Section 15-2-10 Annual Report

The director shall provide an annual report of the drainage utility revenues, expenses, and programs to the city council. The annual report shall include findings on the impact of green infrastructure on drainage and recommended strategies that could allow utility customers to reduce the drainage charge by reducing their property’s impact on drainage. The recommended strategies shall address the potential for credits or discounts for innovative stormwater controls that exceed land development requirements and/or detention and water quality treatment minimum requirements.”

There was an amendment made by Council Member Zimmerman and seconded by Council Member Kitchen to amend Section 15-2-15 by striking sections B, C and D. The amendment was later withdrawn by Council Member Zimmerman.

There was an amendment made by Council Member Zimmerman and seconded by Council Member Troxclair to amend Section 15-2-7 by adding a new subsection (D) to read, “(D) After computing the monthly drainage charge as described in subsections (A) and (B), the monthly drainage charge for single family residential properties may be modified by establishing tiers that cluster properties according to the amount of the calculated charge for each, and a single uniform charge may be set for each tier if established by separate ordinance.” The amendment failed on a vote of 1-8. Council Member Zimmerman voted aye. Mayor Adler was off the dais. Council Member Houston was absent.

Ordinance No. 20150625-021 was approved with the following amendments listed above on Council Member Kitchen’s motion, Council Member Zimmerman’s second on a 9-0 vote. Mayor Adler was off the dais. Council Member Houston was absent.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

25. 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).

This item was postponed to August 13, 2015 on Council Member Zimmerman’s motion, Council Member Renteria’s second on a 9-0 vote. Mayor Adler was off the dais. Council Member Houston was absent.

Mayor Pro Tem Tovo adjourned the meeting at 4:06 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.