



## **AUSTIN CITY COUNCIL WORK SESSION**

**Tuesday, February 02, 2016**

The Austin City Council will convene at 9:00 AM on  
Tuesday, February 02, 2016 at Austin City Hall  
301 W. Second Street, Austin, TX



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

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

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

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

**9:00 AM – City Council Convenes**

- A. Pre-Selected Agenda Items
- B. Briefings
  - B.1 Briefing by City Clerk Jannette Goodall regarding verification of initiative petition related to Transportation Network Companies.
- C. Council Items of Interest
- D. Council Discussion
  - D.1 Discussion regarding the operating procedures of the city council and of council committees.
  - D.2 Discussion about departmental review process.
  - D.3 Discussion about ground transportation regulation.
  - D.4 Discussion about potential tax swap with AISD.
- E. Executive Session
  - E.1 Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
  - E.2 Discuss legal issues related to prevailing and living wage provisions in City contracts (Private consultation with legal counsel - Section 551.071 of the Government Code).
  - E.3 Discuss legal issues related to a potential election in May 2016 concerning Transportation Network Companies and other potential ballot measures (Private consultation with legal counsel - Section 551.071 of the Government Code).

**Consent**

**Approval of Minutes**

1. Approve the minutes of the Austin City Council work session of January 26, 2016, Council discussion and regular meeting of January 28, 2016.

## **Austin Water Utility**

2. Authorize execution of a termination agreement with the Onion Creek Golf Group, LP in an amount not to exceed \$648,213 relating to prior contracts for providing treated effluent to the Onion Creek Golf Course.

## **Capital Contracting Office**

3. Authorize Ratification of Work Order Assignment Number 009 to the Group #16 ADA Sidewalk & Ramp Improvements Contract and Work Order Assignment Number 012 to the Group #17 ADA Sidewalk & Ramp Improvements Contract with MUNIZ CONCRETE AND CONTRACTING, INC., to provide for additional streetscape improvements, including an electronic marquee sign and electronic kiosks in an amount not to exceed \$721,120.  
( 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 88.95% MBE and 1.64% WBE participation for Group #16; and 86.38% MBE and 5.29% WBE participation for Group #17. )
4. Authorize execution of a construction contract with M.A. SMITH CONTRACTING COMPANY, INC., for Austin Heights Neighborhood Water System Upgrades project in the amount of \$1,692,497.50 plus an \$84,624.87 contingency, for a total contract amount not to exceed \$1,777,122.37.  
( 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 5.26% MBE and 1.19% WBE participation. )
5. Authorize negotiation and execution of a professional services agreement with the following 10 staff recommended firms (or other qualified responders) to Request For Qualifications Solicitation No. CLMP186: AECOM TECHNICAL SERVICES, INC., CH2M HILL ENGINEERS, INC., CAROLLO ENGINEERS, INC., CP&Y, INC., CDM SMITH INC., HDR ENGINEERING, INC., JACOBS ENGINEERING GROUP INC., BLACK & VEATCH CORPORATION, ARCADIS U.S., INC., FREESE & NICHOLS, INC., for engineering services related to the 2016 Large Scale Water and Wastewater Facilities Engineering Services Rotation List for an estimated period of three years or until financial authorization is expended, with the total amount not to exceed \$20,000,000 divided among the 10 firms.  
( 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. )

6. Authorize negotiation and execution of a professional services agreement with the following five staff recommended firms (or other qualified responders) to Request For Qualifications Solicitation No. CLMP187: ATKINS NORTH AMERICA, INC., COBB, FENDLEY & ASSOCIATES, INC., KENNEDY/JENKS CONSULTANTS, INC., WESTON SOLUTIONS, INC., K FRIESE & ASSOCIATES, INC., for engineering services for the 2016 Small Scale Water and Wastewater Facilities Engineering Services Rotation List for an estimated period of three years or until financial authorization is expended, with the total amount not to exceed \$4,000,000 divided among the five firms.  
( 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. )
7. Authorize negotiation and execution of a professional services agreement with JACOBS ENGINEERING GROUP, INC., (staff recommendation) or one of the other qualified responders to Request For Qualifications Solicitation No. CLMP191 to provide engineering services for Albert H. Ullrich Water Treatment Plant Conversion to On-Site Generation of Sodium Hypochlorite Project for a total contract amount not to exceed \$2,000,000.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9B of the City Code Minority Owned and Women Owned Business Enterprise Procurement Program by exceeding the goals with 16.50% MBE and 18.00% WBE participation. )
8. Authorize execution of a construction contract with RS ELLIS INC./SOUTHWEST CORPORATION, for Fire Station #8 and #32 Driveway Repairs for a total contract amount of \$204,999 plus a 10% contingency in an amount not to exceed \$225,499.  
( Notes: This contract will be awarded in compliance with City Code Chapter 2-9A Minority Owned and Women Owned Business Enterprise Procurement Program through the achievement of good faith efforts with 59.93% MBE and 2.73% WBE participation. )

### **City Clerk**

9. Adopt a citizen-initiated ordinance, supported by a petition certified sufficient on February 2, to amend the City Code, Chapter 13-2 (Ground Transportation Passenger Services) relating to regulation of Transportation Network Companies (TNCs).
10. Approve an ordinance ordering a municipal election to be held on May 7, 2016, to submit to the voters a proposed citizen-initiated ordinance, certified sufficient on February 2, relating to regulation of Transportation Network Companies; providing for the conduct of the election, including authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the election; and

declaring an emergency.

### **Economic Development Department**

11. Authorize negotiation and execution of a 12-month contract with the African American Cultural Heritage District to provide educational, heritage preservation, and economic development programs and services in the District in an amount not to exceed \$300,000, and include two additional 12-month extension options in an estimated amount not to exceed \$300,000 per extension option, for a total estimated contract amount not to exceed \$900,000.

### **Health and Human Services**

12. Authorize the negotiation and execution of Amendment No. 2 for a 12-month extension of an interlocal agreement with AUSTIN INDEPENDENT SCHOOL DISTRICT for parent support specialist services in an amount not to exceed \$684,000, for a total contract amount not to exceed \$1,934,000.
13. Authorize the negotiation and execution of Amendment No. 1 to the Social Services Contract with RIVER CITY YOUTH FOUNDATION for expanded youth services increasing the contract amount by \$35,000, for a total contract amount not to exceed \$385,400.
14. Authorize the negotiation and execution of Amendment No. 1 to the Social Services Contract with AUSTIN INDEPENDENT SCHOOL DISTRICT for after school enrichment services for an additional amount of \$520,000, for a total contract amount not to exceed \$2,441,833.
15. Approve the negotiation and execution of an interlocal agreement with AUSTIN INDEPENDENT SCHOOL DISTRICT for a mentoring project in an amount not to exceed \$15,000, for an eight-month term from February 1, 2016 through September 30, 2016, with five 12-month renewal options in an amount not to exceed \$15,000 per renewal option, for a total agreement amount not to exceed \$90,000.

### **Law**

16. Approve a settlement in 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. (Related to the July 26, 2013 officer-involved shooting)

### **Office of Real Estate Services**

17. Authorize negotiation and execution of an interlocal agreement with AUSTIN INDEPENDENT SCHOOL DISTRICT (AISD), for the use by the Austin Convention Center (ACC) of approximately 4,800 square feet of

warehouse space at 3701 Woodbury Drive, Austin, Texas, 78704 (District 3), in exchange for rental concessions at the ACC facility in an amount not to exceed \$114,300 over a thirty-six (36) month period.

18. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire two permanent wastewater easements totaling approximately 11,296 square feet and two temporary working space easements totaling approximately 6,209 square feet for the Parmer Lane Interceptor Project, located in the Parmer Village Condominiums, City of Austin, Williamson County, Texas 78729, from THE INDIVIDUAL UNIT OWNERS OF PARMER VILLAGE CONDOMINIUMS AND PARMER VILLAGE CONDOMINIUM COMMUNITY, INC., A TEXAS NON-PROFIT CORPORATION, in an amount not to exceed \$59,719 (District 6).

### **Parks and Recreation**

19. Approve a resolution regarding the renaming of the Austin Tennis Center, located at 7800 Johnny Morris Road.
20. Authorize negotiation and execution of an interlocal agreement with the Austin Independent School District to identify, develop and maintain 5 pocket parks on existing school sites to address current park access service gaps.

### **Police**

21. Approve an ordinance amending the Fiscal Year 2015-2016 Budget Stabilization Reserve Fund Operating Budget (Ordinance No. 20150908-001) to transfer out \$1,100,000 to the General Fund; amending the Fiscal Year 2015-2016 General Fund Operating Budget (Ordinance No. 20150908-001) transferring in \$1,100,000 from the Budget Stabilization Reserve Fund; and appropriating \$1,500,000, which includes \$400,000 in estimated fees, to increase expenditures in the Fiscal Year 2015-2016 Austin Police Department Operating Budget (Ordinance No. 20150908-001) for public safety support for the Spring Festival Season.

### **Purchasing Office**

22. Authorize award and execution of a 36-month contract with FORSYTHE BROTHERS INFRASTRUCTURE, LLC to provide magnesium hydroxide slurry and equipment in an amount not to exceed \$1,203,060, with three 12-month extension options in an amount not to exceed \$401,020 per extension option, for a total contract amount not to exceed \$2,406,120. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore no subcontracting goals were established.)

23. Authorize award and execution of a 36-month contract with CENTRAL WASTE AND RECYCLING, for disposal of debris materials from wastewater treatment plants in an amount not to exceed \$1,461,096, with three 12-month extension options in amounts not to exceed \$487,032 per extension option, for a total contract amount not to exceed, \$2,922,192. ( Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore no subcontracting goals were established. )
24. Authorize negotiation and execution of a 36-month contract with AIR TRANSPORT IT SERVICES, INC. for software maintenance and support for the Shared Use Passenger Processing System at Austin-Bergstrom International Airport in an amount not to exceed \$1,162,311, with two 12-month extension options in an amount not to exceed \$406,368 for the first option and \$416,309 for the second option, for a total contract amount not to exceed \$1,984,988. ( Notes: The contract is exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore no subcontracting goals were established. )
25. Authorize negotiation and execution of a 12-month contract with MIDWEST TAPE, LLC., for digital subscriptions to enable access to digital video, music and audiobook content for library patrons in an amount not to exceed \$150,000, with three 12-month extension options in an amount not to exceed \$150,000 per option, for a total contract amount not to exceed \$600,000. ( Notes: The contract is exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore no subcontracting goals were established. )
26. Authorize award and execution of a 36-month contract with TECHLINE INC. to provide decorative luminaires, street lights and poles in an amount not to exceed \$731,502, with three 12-month extension options in an amount not to exceed \$243,834 per extension option, for a total contract amount not to exceed \$1,463,004. ( Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established. )
27. Authorize negotiation and execution of a 12-month contract with PASSUR AEROSPACE to provide landing fee management software in an amount not to exceed \$84,000, with two 12-month extension options in an amount not to exceed \$74,160 for the first option and \$76,380 for the second option,

for a total contract amount not to exceed \$234,540.

( Notes: This is a sole-source contract and is exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established. )

28. Approve ratification of a contract with ABB, INC., for the purchase and installation of human machine interface displays and power supply units to replace defective units at Austin Energy's Fiesta Substation, in an amount not to exceed \$86,765.

( Notes: This ratification is exempt from City Code Chapter 2-9C Minority and Women Owned Business Enterprise Procurement Program. )

29. Authorize negotiation and execution of a 36-month contract with SCS FIELD SERVICES, or one of the other qualified offerors to Request for Proposal SLW0503, to provide landfill maintenance services in an amount not to exceed \$315,000, with three 12-month extension options in an amount not to exceed \$105,000 per extension option, for a total contract amount not to exceed \$630,000.

( Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. Subcontracting goals were not established due to limited availability of certified M/WBEs. )

30. Authorize negotiation and execution of a 12-month contract with CREATIVE CONSUMER RESEARCH INC., or one of the other qualified offerors to Request for Proposal RMJ0302, for marketing research service studies, in an amount not to exceed \$300,000, with four 12-month extension options in an amount not to exceed \$300,000 per extension option, for a total contract amount not to exceed \$1,500,000.

( Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no goals were established. )

### **Transportation**

31. Approve a resolution authorizing negotiation and execution of four interlocal agreements with the Texas Department of Transportation for the City to furnish, install, and be reimbursed for traffic signal equipment placed along IH 35 and along FM 734.

32. Authorize negotiation and execution of an interlocal agreement with Hays County for the City to install, maintain and upgrade traffic signal equipment for Hays County.

33. Approve an ordinance amending City Code Section 12-4-64 (D) to reflect the correct speed limit of 35 miles per hour on Lamar Boulevard (North) from

744 feet north of Oakbrook Trail (mile point 3.398) to 375 feet south of Little Oak Drive (mile point 3.725) during certain times, for students attending Brentwood Christian School; and declaring an emergency.

34. Authorize payment of the City's membership fees for Fiscal Year 2015-2016 to the Greater Austin-San Antonio Corridor in an amount not to exceed \$100,000.

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

35. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members.
36. Approve a resolution stating the council's desired purposes for the council committee system.  
( Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Delia Garza )
37. Approve a resolution directing the City Manager to develop a work plan for reviewing and discussing key components of Austin Energy's electric rate adjustment proposal for Council consideration.  
( Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Delia Garza )
38. Approve a resolution directing the City Manager to explore the feasibility of developing a live/work project with Artspace, and to consider the City-owned tract located at 4711 Winnebago Lane as a potential location for this project.  
( Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Leslie Pool CO 2: Council Member Delia Garza CO 3: Council Member Gregorio Casar )

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

39. Set a public hearing to consider the temporary use of approximately 1,870 square feet of indoor space within the Turner Roberts Recreation Center, located on dedicated parkland known as Colony District Park, 7201 Colony Loop Drive, Austin, Texas 78724, for the purpose of providing temporary health clinic services to the surrounding community, in accordance with Chapter 26 of the Texas Parks and Wildlife Code. (Suggested date and time, February 25, 2016, 4:00 pm at Austin City Hall, 301 W. Second Street.)
40. Set a public hearing to consider an ordinance adopting the local standards of care for the Parks and Recreation Department's youth recreation programs. (Suggested date and time: February 25, 2016, 4:00 p.m. at City Hall, 301 W.

Second Street).

41. Set a public hearing to consider the use of dedicated parkland, known as Metz Park (District 3), for approximately 2,049 square feet of permanent access for operation and control of the Pedernales Substation as part of the Holly Street Power Plant Decommissioning and Demolition Project, in accordance with Chapter 26 of the Texas Parks and Wildlife Code. (Suggested date and time: March 3, 2016 at 4:00 p.m., Austin City Hall, Council Chambers, 301 West Second Street, Austin, TX.)

## **Non-Consent**

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

#### Audit and Finance Committee

42. Discussion regarding compensation for the Municipal Civil Service Commissioners.  
(Notes: Committee )
43. Authorize negotiation and execution of a legal services agreement with Boulette Golden and Martin (BG&M) for outside legal counsel services for the Municipal Civil Service Commission Appeal Hearings for Fiscal Year 2016-2017, in an amount not to exceed \$34,500.  
(Notes: Committee )
44. Approve an ordinance amending the Fiscal Year 2015-2016 Austin Resource Recovery Operating Budget (Ordinance No. 20150908-001) to increase revenue by \$1,450,001; increase transfers out by \$1,450,001; and amending the Fiscal Year 2015-2016 Austin Resource Recovery Capital Budget (Ordinance No. 20150908-002) to transfer in and appropriate \$1,450,001 from the Austin Resource Recovery Operating Budget for facility development and construction. Related to Item #45.  
(Notes: Austin Resource Recovery )
45. Authorize negotiation and execution of all documents and instruments necessary or desirable to sell approximately 9.405 acres of land, located at Lot 1, Block "E", Missouri-Pacific Industrial Park, Section One, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 52, Page 21 of the Plat Records of Travis County, Texas, and locally known as 4711 Winnebago Lane, to Jimmy Nassour in the amount of \$1,450,001 for the land (District 2). Related to Item #44.  
(Notes: Office of Real Estate Service)

#### Health and Human Services Committee

46. Approve second and third readings of an ordinance that creates a reasonable accommodations process.

( Notes: Austin Code Department )

#### Open Space, Environment and Sustainability Committee

47. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple 25 properties at risk of flooding in the 25-year floodplain located within the Williamson Creek Watershed, in a total amount for the acquisition not to exceed \$10,000,000, establishing acquisition and relocation guidelines, and waiving the requirements of City Code Chapter 14-3 (District 2 and District 3).

( Notes: Committee )

48. Approve code amendment recommendations for the naming of city parks and facilities.

( Notes: Parks and Recreation Department )

#### **Eminent Domain**

49. Approve a resolution authorizing the filing of eminent domain proceedings for the Onion Creek Floodplain Buyout Program Project for the fee simple acquisition of Lot 5, Block B, Yarrabee Bend Section One, according to the map or plat thereof, recorded in Volume 74, Page 37, Plat Records, Travis County, Texas, in the amount of \$151,000. The owner of the needed property interest is Loghan Pineda a/k/a Loghan Kronos Pineda f/k/a Francisco Pineda. The property is located entirely in District 2, at 7402 Wild Onion Drive, Austin, Texas 78744-6563. The general route covered by this project includes the area along Lower Onion Creek, in the Onion Creek Forest, Onion Creek Plantation and Yarrabee Bend neighborhoods, near the intersection of South Pleasant Valley Road and East William Cannon Drive, in Austin, Travis County, Texas (District 2).

#### **Executive Session**

50. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
51. Discuss legal issues related to prevailing and living wage provisions in City contracts (Private consultation with legal counsel - Section 551.071 of the Government Code).
52. Discuss legal issues related to a potential election in May 2016 concerning Transportation Network Companies and other potential ballot measures (Private consultation with legal counsel - Section 551.071 of the Government Code).

## Adjourn

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

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

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