

AUSTIN CITY COUNCIL WORK SESSION

Tuesday, May 03, 2016
The Austin City Council will convene at 9:00 AM on
Tuesday, May 03, 2016 at Austin City Hall
301 W. Second Street, Austin, TX

SECOND REVISED

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 Code Next Update

B.2 Briefing on water use management and the drought contingency plan.

C. Council Items of Interest

D. Council Discussion

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 relating to the legal parameters for considering a transfer of services and of taxing authority for those services from Austin Independent School District and other school districts within City of Austin boundaries pursuant to Texas Tax Code 26.04(i)-(j) (Tax Code) (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 April 19, 2016, regular meeting of April 21, 2016 and budget work session of April 27, 2016.

Austin Resource Recovery

2. Authorize execution of an interlocal agreement with Pilot Knob Municipal Utility District No. 3, for the City to provide solid waste services to the District's residents in accordance with the terms of the consent agreement between the District and the City.

Austin Water Utility

3. Approve an ordinance amending City Code Chapter 6-4 relating to water use management, and adding offenses.

4. Approve a resolution adopting a revised 2016 Drought Contingency Plan for retail and wholesale public water suppliers.

Economic Development Department

5. Authorize negotiation and execution of a Family Business Loan Program loan, in an amount not to exceed $154,200, funded with proceeds of a U.S. Department of Housing and Urban Development Section 108 loan to the City, to MORT SUBITE, LLC to finance working capital and soft costs associated with the lease of space located at 308 South Congress, Austin, Texas.

6. Authorize negotiation and execution of a Family Business Loan Program loan in an amount not to exceed $139,000, funded with proceeds of a U.S. Department of Housing and Urban Development Section 108 loan to the City, to GARBO, INC. dba GARBO SALON & SPA to finance machinery, working capital, and soft costs associated with the lease of space located at 1385 Shore District Drive, Austin, Texas.

Health and Human Services

7. Approve an ordinance authorizing acceptance of $30,645 in additional grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, and amending the Fiscal Year 2015-2016 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to appropriate $30,645 for the Tuberculosis Federal Prevention and Control Grant Program.

Library

8. Authorize negotiation and execution of an amendment to the interlocal agreement with the Austin Independent School District for use of the J. J. Pickle Elementary School/St. John's Community Center campus for a term of 12 months in an amount not to exceed $250,000, with options to renew for up to nine 12-month terms in an amount not to exceed $250,000 per renewal term, for a total amount not to exceed $2,500,000.

Office of Real Estate Services

9. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple the property located at 4502 Raleigh Circle, in the Indian Hills Subdivision, from Mark Hejl, in an amount not to exceed $250,000, subject to the

guidelines of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and related federal regulations, and waiving the requirements of City Code Chapter 14-3 (District 2).

10. Authorize negotiation and execution of an encroachment agreement with the SELF-REALIZATION FELLOWSHIP CHURCH for the encroachment of right-of-way by a portion of an existing structure at the intersection of Garden Street and Chicon Street, located at 1820 Garden Street (District 3).

11. Authorize negotiation and execution of a 60-month lease with one five-year renewal option for approximately 7,174 rentable square feet of office space for the Equal Employment and Fair Housing Office of the Human Resources Department and additional support services, located at 1050 East 11th Street, Suite 200 and Suite 250, from ELEVEN EAST CORP., in an amount not to exceed $3,065,226 (District 1).

Purchasing Office

12. Authorize an amendment to the contract with WASTEWATER TRANSPORT SERVICES, LLC to provide sludge and sewage pumping, hauling, and disposal services for an increase of $145,000, for a total contract amount not to exceed $1,000,000.
(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.)

13. Authorize award and execution of two 36-month contracts with AMERITURF and HELENA CHEMICAL COMPANY to provide golf course grounds maintenance materials in an amount not to exceed $948,915 each and combined, with two 12-month extension options in an amount not to exceed $316,305 per extension option each and combined, for a total contract not to exceed $1,581,525 each and combined.
(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 required for this solicitation, there was an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)

14. Authorize negotiation and execution of a 36-month contract with AUS-TEX TOWING AND RECOVERY LLC, to provide towing of City vehicles in an amount not to exceed $1,483,646, with three 12-month extension options in an amount not to exceed $494,549 per extension option, for a total contract amount not to exceed $2,967,292.
(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 an insufficient number of

certified M/WBEs; therefore, no subcontracting goals were established.)

15. Authorize negotiation and execution of a 36-month contract with AUSTIN METAL AND IRON CO., L.P., or one of the other qualified offerors to Request For Proposal SLW0507, for the sale of scrap metal in an estimated revenue amount of $1,650,000, with three 12-month extension options in an estimated revenue amount of $550,000 per extension option, for a total estimated revenue amount of $3,300,000.
(Notes: This revenue generating contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.)

16. Authorize award and execution of a 24-month contract with COOPER EQUIPMENT CO., INC. to provide original equipment manufacturer parts, repair services, and preventive maintenance services for street maintenance equipment in an amount not to exceed $354,428, with four 12-month extension options in an amount not to exceed $177,214 per extension option, for a total contract amount not to exceed $1,063,284.
(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 number of certified M/WBEs; therefore, no subcontracting goals were established.)

17. Authorize negotiation and execution of a 5-month contract with EMMIS AUSTIN RADIO BROADCASTING COMPANY, LP DBA INCITE IMPACT, or one of the other qualified offerors to Request For Proposal CRR0101, to provide tobacco prevention and chronic disease media services 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 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 4.6% MBE and 4.26% WBE participation.)

18. Authorize negotiation and execution of two 24-month contracts with BRAD NORTON and WEBB & WEBB, or one of the other qualified offerors to Request For Proposal RMJ0305, for administrative hearing officer services in an amount not to exceed $124,000 each and combined, with two 24-month extension options in an amount not to exceed $124,000 each and combined per extension option, for a total contract amount not to exceed $372,000.
(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 subcontracting goals were established.)

19. Authorize negotiation and execution of a 24-month contract with CONVERGENT OUTSOURCING, INC., or one of the other qualified offerors to Request for Proposal RMJ0307, for the secondary-level collection of delinquent utility accounts in an amount not to exceed $180,000, with three 12-month extension options in an amount not to exceed $90,000 per extension option, for a total contract amount not to exceed $450,000; and a 24-month contract with CONTRACT CALLERS, INC., or one of the other qualified offerors to Request for Proposal RMJ0307, for the tertiary-level collection of delinquent utility accounts in an amount not to exceed $200,000, with three 12-month extension options in an amount not to exceed $100,000 each per extension option, for a total contract amount not to exceed $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 subcontracting goals were established.)

20. Authorize negotiation and execution of a 12-month contract with SONEPAR USA DBA STUART C. IRBY CO., or one of the other qualified offerors to Request For Proposal RMJ0304, to provide three-phase power transformers on an as needed basis, in a total cumulative amount not to exceed $17,596,226, with five 12-month extension options in a total cumulative amount not to exceed $17,596,226 per extension option, for a total contract amount not to exceed $105,577,356.
(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.)

21. Authorize negotiation and execution of a contract through the NATIONAL JOINT POWERS ALLIANCE with MCCOY ROCKFORD for furniture for the new central library in an amount not to exceed $110,057.
(Notes: This contract 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 contract, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

22. Cast lots and authorize award and execution of a contract in accordance with Texas Local Government Code Section 271.901 with TECHLINE INC. or POWER SUPPLY INC., who submitted identical bids for Line Item 15, (bracket monting assembly) in an amount not to exceed $1,125 annually; authorize award and execution of four 24-month contracts to provide streetlight lamps, luminaires and floodlights: with TECHLINE INC. in an amount not to exceed $2,177,456, with three 12-month extension options in an amount not to exceed $1,088,728 per extension option, for a total contract

amount not to exceed $5,443,640; with MCOR LIGHTING in an amount not to exceed $54,220, with three 12-month extension options in an amount not to exceed $27,110 per extension option, for a total contract amount not to exceed $135,550; with POWER SUPPLY INC. in an amount not to exceed $15,990, with three 12-month extension options in an amount not to exceed $7,995 per extension option, for a total contract amount not to exceed $39,975; and with FACILITY SOLUTIONS GROUP in an amount not to exceed $8,586, with three 12-month extension options in an amount not to exceed $4,293 per extension option, for a total contract amount not to exceed $21,465.
(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.)

Item(s) from Council

23. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.

24. Approve a resolution relating to Council Members' proxy representation on the Capital Area Metropolitan Planning Organization Transportation Policy Board.
(Notes: SPONSOR: Council Member Sheri Gallo CO 1: Council Member Delia Garza CO 2: Council Member Ann Kitchen CO 3: Council Member Ellen Troxclair)

25. Approve a resolution directing the City Manager to work on an electric vehicle fleet assessment in anticipation of the Smart Cities application and to engage relevant commissions in developing recommendations for opportunities to increase electrification of the City's Fleet Services vehicles.
(Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Delia Garza CO 4: Council Member Sheri Gallo)

26. Approve a resolution relating to filling vacancies on the Land Development Code Advisory Group.
(Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Ann Kitchen CO 2: Council Member Gregorio Casar CO 3: Council Member Ellen Troxclair CO 4: Council Member Don Zimmerman)

27. Approve a resolution directing the City Manager to evaluate potential changes to Austin Police Department policies and training to improve how transgender and gender-nonconforming individuals are identified by the Austin Police Department.

(Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Ora Houston CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo)

28. Approve the waiver or reimbursement of certain costs under City Code Chapter 14-8 for the 9th Annual Texas Marijuana March to the Texas State Capitol building sponsored by the National Organization for the Reform of Marijuana Laws (NORML) which is to be held from noon to 1:15pm on Saturday, May 14, 2016 from City Hall along Congress Avenue.
(Notes: SPONSOR: Council Member Don Zimmerman CO 1: Mayor Steve Adler CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Ora Houston CO 4: Council Member Gregorio Casar)

Item(s) to Set Public Hearing(s)

29. Set a public hearing to consider an ordinance amending City Code Chapter 25-2 relating to site development regulations for the Festival Beach Subdistrict of the Waterfront Overlay. (Suggested date and time: June 9, 2016, 4:00 p.m. at 301 W. Second St., Austin, TX).

30. Set a public hearing to consider an ordinance granting a site specific amendment to City Code Section 25-8-514 and granting variances to City Code sections 25-8-281 and 25-8-341 to allow the Eliza Spring Outlet Daylighting Project. This action requires a site-specific amendment of the Save Our Springs Initiative and concerns property in the Barton Springs Zone (District 8). (Suggested date and time: June 9, 2016, 4:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX.)

31. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by HACA Pathways I, LP, or an affiliated entity, for the rehabilitation of an affordable multi-family development to be called the Pathways at North Loop Apartments, located at 2300 West North Loop Boulevard. (District 7) (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

32. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by HACA Pathways I, LP, or an affiliated entity, for the rehabilitation of an affordable multi-family development to be called the Pathways at Georgian Manor Apartments, located at 110 Bolles Circle. (District 4) (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

33. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by HACA Pathways I, LP, or an affiliated entity, for the rehabilitation of an affordable multi-family development to be called the Pathways at Manchaca

Village Apartments, located at 3628 Manchaca Road. (District 5) (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

34. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by HACA Pathways I, LP, or an affiliated entity, for the rehabilitation of an affordable multi-family development to be called the Pathways at Shadowbend Ridge Apartments, located at 6328 Shadow Bend (District 2) (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

35. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by HACA Pathways I, LP, or an affiliated entity, for the rehabilitation of an affordable multi-family development to be called the Pathways at Northgate Apartments, located at 9120 Northgate Boulevard. (District 4) (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

36. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by Austin Travis County Integral Care, or an affiliated entity, for a proposed affordable multi-family development to be called Housing First Oak Springs Apartments located at 3000 Oak Springs Drive. (Suggested date and time: June 9, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) (District 1).

Non-Consent

Item(s) Referred from Council Committee(s)

Audit and Finance Committee

37. Approve an ordinance amending City Code Chapter 2-1 to establish the Codes and Ordinances Joint Committee consisting of members of the Planning Commission and the Zoning and Platting Commission.
(Notes: Planning and Zoning Department)

38. Approve an ordinance amending City Code Chapter 2-1 to establish the Comprehensive Plan Joint Committee consisting of members of the Planning Commission and the Zoning and Platting Commission.
(Notes: Planning and Zoning Department)

39. Approve a resolution recommending that the City Manager prioritize Austin Resource Recovery in the performance and budget review by the Office of Performance Management.
(Notes: Committee)

40. Approve a resolution appointing two individuals to the Municipal Civil Service Commission, each for a term of three years, and designating a chair for the Municipal Civil Service Commission.
(Notes: Human Resources Department)

Action on Item(s) with Closed Public Hearings - per City Code Section 2-5-27, additional speakers will not be registered

41. C7a-2016-0001 - Parker Creek Ranch - Approve an ordinance to annex the Parker Creek Ranch annexation area for full purposes (approximately 92 acres in eastern Travis County west of Decker Lane approximately three quarters of a mile north of the intersection of Decker Lane and Loyola Lane; contiguous to Council District 1). THE PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON MARCH 21, 2016 AND APRIL 7, 2016.

Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

42. C814-2012-0163 - Sun Chase Planned Unit Development - District 2 - Approve second reading of an ordinance amending City Code Chapter 25-2 by zoning property locally known as 15201, 15810, and 16070 Pearce Lane, and 7910 Wolf Lane (Dry Creek East Watershed) from interim-single family residence-standard lot (I-SF-2) district zoning and interim-single family residence-small lot (I-SF-4A) district zoning to planned unit development (PUD) district zoning. First Reading approved on February 11, 2016. Vote: 8-0-1, Mayor Adler and Council Member Casar off the dais; Council Member Troxclair abstained. Owner/Applicant: Qualico CR, L.P. (Vera Massaro). Agent: Armbrust & Brown, L.L.P. (Richard Suttle). City Staff: Wendy Rhoades, 512-974-7719.

Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

43. C14-2016-0004 - Oporta Zoning - District 2 - Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 4400 East William Cannon Drive (Williamson Creek Watershed) from family residence (SF-3) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Owner/Applicant: Vicky Oporta. Agent: Brown & Gay Engineers (Steven Buffum). City Staff: Wendy Rhoades, 512-974-7719.

Executive Session

44. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).

45. Discuss legal issues relating to the legal parameters for considering a transfer of services and of taxing authority for those services from Austin Independent School District and other school districts within City of Austin boundaries pursuant to Texas Tax Code 26.04(i)-(j) (Tax Code) (Private consultation with legal counsel - Section 551.071 of the Government Code).

Public Hearings and Possible Actions

46. Conduct a public hearing and consider an ordinance amending City Code Title 25 related to the multifamily residence highest density (MF-6) district zoning regulations.

47. Conduct a public hearing and consider a request by Morris Hoover, agent for Tacala Austin LLC dba Taco Bell Cantina, located at 2000 Guadalupe Street, for a waiver from 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 church. (District 9).

48. Conduct a public hearing and consider a resolution for the use of dedicated parkland, known as Edward Rendon, Sr., Metro Park at Festival Beach (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.

49. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to right-of-way dedications and transportation improvements required as a condition to mitigate the impacts of development.

50. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to site development standards for educational facilities.

51. Conduct a public hearing and consider an ordinance amending City Code Title 25 relating to the neighborhood plan design tool known as garage placement standards.

Adjourn

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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.