



AUSTIN CITY COUNCIL WORK SESSION

Tuesday, April 04, 2017

The Austin City Council will convene at 9:00 AM on
Tuesday, April 04, 2017 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 Jimmy Flannigan, District 6

Council Member Leslie Pool, District 7

Council Member Ellen Troxclair, District 8

Council Member Alison Alter, 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 85th Legislative session update.
 - B.2 Bond development program update.
 - B.3 Briefing on the Mayor's Task Force in Institutional Racism and Systemic Inequities report.
- C. Council Items of Interest
- D. Council Discussion
 - D.1 Meeting management recommendations.
 - D.2 City Manager search 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 related to Kulisek v. City of Austin et. al, Cause No. D-1-GN-16-003549, in the 261st Judicial District Court of Travis County, Texas (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 discussion of March 9, 2017, work session of March 21, 2017, budget work session of March 22, 2017, regular meeting of March 23, 2017, and discussion of March 27, 2017.

Austin Code Department

2. Approve an ordinance amending City Code Chapter 2-13 related to the

administrative hearing process and penalties; and amending the Fiscal Year 2016-2017 City of Austin Fee Schedule Ordinance No. 20160914-003 to add a fee for administrative hearings.

Austin Energy

3. Authorize issuance of rebates to PSW Real Estate for the installation of solar electric systems on 147 single family residential homes and 48 condominium units located within six of their communities in Austin, for a total amount not to exceed \$351,061. (Districts 1, 2, 5, 9 and 10)
4. Authorize execution of an agreement with Target to provide performance-based incentives for the generation of solar energy at its facilities at 3702 South FM 620 (Travis County), 2300 W. Ben White Blvd. (District 5), 10900 Lakeline Mall Dr. (District 6) and 5300 S. MoPac Expy. (District 8), for an estimated \$112,834.45 per year, for a total amount not to exceed \$1,128,344.47 over a 10-year period.

Capital Contracting Office

5. Authorize negotiation and execution of an amendment to the professional services agreement with OPTICOS DESIGN, INC., for additional architectural, urban design, planning, and engineering services for CodeNEXT, the comprehensive Land Development Code revision to complete Phase IV of the project in an amount of \$1,627,200 for a total contract amount not to exceed \$6,191,520.60.
(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 16.00% MBE and 15.80% WBE participation.)

Financial Services

6. Approve a resolution expressing the City of Austin's approval, as required by Internal Revenue Code Section 147(f), to the New Hope Cultural Education Facilities Finance Corporation's loan to The Travis Association for the Blind in an amount not to exceed \$20,000,000 to finance the cost of facilities located at 4500 South Pleasant Valley Road, Austin, Texas 78744.
7. Authorize negotiation and execution of six interlocal agreements with Travis County for billing and collection of public improvement district assessments.

Law

8. Authorize negotiation and execution of a legal services contract with BoyarMiller for services related to real estate contract negotiations for the acquisition of a Planning and Development Center and municipal courthouse in an amount not to exceed \$200,000.

Office of Real Estate Services

9. Approve an ordinance vacating two segment tracts (of approximately 5,418 square feet and approximately 3,360 square feet) designated as an easement for the construction, use and maintenance of a road right-of-way, located on a flag portion of the parcel at 500 Bastrop Highway, to Chase Equities, Inc. (District 3).
10. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase five properties at high risk of flooding, located at 11509, 11601, 11603, 11605, and 11607 February Drive, in a total amount not to exceed \$1,900,000, establishing acquisition and relocation guidelines, and waiving the requirements of City Code Chapter 14-3. (District 1)
11. Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase four properties at high risk of flooding, located at 11703 and 11705 Charing Cross Road and 11704 and 11706 DK Ranch Road, in a total amount not to exceed \$2,000,000, establishing acquisition and relocation guidelines, and waiving the requirements of City Code Chapter 14-3. (District 10)

Parks and Recreation

12. Authorize the negotiation and execution of an interlocal agreement with the Austin Independent School District (AISD) for the City to conduct the SwimATX program, a 12-16 week swim lesson program provided to students of select AISD high schools that includes a 40-hour lifeguard certification course, for a 12-month term with five 12-month renewal options.

Public Health

13. Authorize negotiation and execution of Amendment No. 2 to the Quality Child Care Collaborative (QC3) agreement with WORKSOURCE GREATER AUSTIN AREA WORKFORCE BOARD dba WORKFORCE SOLUTIONS - CAPITAL AREA WORKFORCE BOARD to add the Child Care Local Match Contribution agreement to the QC3 agreement, and to increase funding for this new combined agreement in an amount not to exceed \$359,831 for the period October 1, 2016 through September 30, 2017, with four remaining 12-month renewal options in an amount not to exceed \$909,114 per renewal option, for a total contract amount not to exceed \$4,545,570.
14. Authorize negotiation and execution of an agreement with JUSTICE BENEFITS, INCORPORATED (JBI) for assistance in obtaining federal Medicaid reimbursements for a 24-month period in an amount not to exceed 18% of all revenue paid to Austin Public Health as a result of Medicaid

reimbursements obtained with assistance from JBI.

Purchasing Office

15. Authorize award and execution of a 12-month contract with DOUBLE R FENCING, to provide fencing and fencing related products, in an estimated amount of \$841,785, with five 12-month extension options in an estimated amount of \$809,643 per extension option, for a total contract amount not to exceed \$4,890,000.
(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.)
16. Authorize negotiation and execution of a 24-month contract with SAFETEC COMPLIANCE SYSTEMS, INC., or one of the other qualified offerors to Request for Proposals JRD0315, to provide safety data sheet management system and chemical inventory services, in an estimated amount of \$320,000, with three 12-month extension options in an estimated amount of \$160,000 per extension option, for a total contract amount not to exceed \$800,000.
(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 services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)
17. Authorize negotiation and execution of a 12-month contract with BRUEL & KJAER EMS, INC., to provide maintenance and support for the noise and operations monitoring system, in an amount of \$84,640, with four 12-month extension options in an amount of \$87,176 for the first extension option, \$89,788 for the second extension option, \$92,480 for the third extension option, and \$95,252 for the fourth extension option, for a total contract amount not to exceed \$449,336.
(Notes: This 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.)
18. Authorize negotiation and execution of a 36-month contract with JP MORGAN CHASE BANK, N.A., or one of the other qualified offerors to Request for Proposals SMB0302, to provide bank depository services, in an estimated amount of \$953,392, with two 12-month extension options in an estimated amount of \$394,159 for the first extension option and \$413,867 for the second extension option, for a total contract amount not to exceed \$1,761,418.
(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 services required

for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

19. Authorize negotiation and execution of a 36-month contract with TEXAN WASTE EQUIPMENT DBA HEIL OF TEXAS, to provide parts and repair services for refuse collection bodies, in an estimated amount of \$1,636,500 with two 12-month extension options in an estimated amount of \$545,500 per extension option, for a total contract amount not to exceed \$2,727,500.
(Notes: This 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.)
20. Authorize negotiation and execution of a 24-month contract with BRACE INTEGRATED SERVICES, INC., or the other qualified offeror to Request For Proposals CAK0012, to provide industrial surface preparation and coating services, in an estimated amount of \$960,000, with three 12-month extension options in an estimated amount of \$480,000 per extension option, for a total contract amount not to exceed \$2,400,000.
(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 an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)
21. Authorize negotiation and execution of a 60-month contract through the LOCAL GOVERNMENT PURCHASING COOPERATIVE, administered by TEXAS ASSOCIATION OF SCHOOL BOARDS (BuyBoard) with TASER INTERNATIONAL, to provide body worn cameras including software, cloud storage, licenses, and equipment maintenance and support, for a total contract amount not to exceed \$4,000,000.
(Notes: This procurement 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 procurement, there were insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)
22. Approve an ordinance waiving Chapter 2-7, Article 6 (Anti-lobbying and Procurement) of the City Code regarding solicitations for organics processing services and refuse, recycling, organics, and special waste collections for City facilities.
23. Approve an ordinance waiving Chapter 2-7, Article 6 (Anti-lobbying and Procurement) of the City Code for solicitations for the collection, disposal and processing of municipal solid waste, recyclables, compostables, special waste collections for City facilities, and other solid waste matters related to these items.

Transportation

24. Approve issuance of a street closure permit under City Code Chapter 14-8 for the Handbuilt Motorcycle Show, a fee-paid event in the 1000 and 1100 blocks of East 5th Street, which will be held from Friday, April 21 through Sunday April 23, 2017. (District 3)

Item(s) from Council

25. 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.
26. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the Queerbomb event sponsored by Queerbomb which will be held June 3, 2017 at Fair Market, located at 1100 E 5th Street.
(Notes: SPONSOR: Council Member Jimmy Flannigan CO 1: Council Member Gregorio Casar CO 2: Mayor Steve Adler CO 3: Council Member Sabino "Pio" Renteria)
27. Approve a resolution adding the honorary name "Richard Overton Avenue" to the existing Hamilton Avenue.
(Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Ellen Troxclair CO 3: Council Member Jimmy Flannigan Co 4: Council Member Alison Alter)
28. Approve an ordinance waiving or reimbursing certain fees for the Pista Sa Nayon event sponsored by the Austin Filipino-American Association which will be held July 29, 2017 at the Asian American Resource Center.
(Notes: SPONSOR: Council Member Jimmy Flannigan CO 1: Mayor Steve Adler CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Delia Garza)
29. Approve a resolution receiving the report and recommendations from the Mayor's Task Force on Institutional Racism & Systemic Inequities and directing the City Manager to review the report and recommendations and to return actionable items back to council for approval.
(Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Ora Houston CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Gregorio Casar)
30. Approve a resolution directing the City Manager to include labor peace agreement requirements in the terminal concessions solicitation and contracts at Austin-Bergstrom International Airport, and identify other City solicitations and contracts which may include labor peace agreement requirements.

(Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Leslie Pool CO 4: Council Member Ann Kitchen)

31. Approve a resolution directing the City Manager to identify funding options for connectivity improvements on La Loma Trail and conduct a community-driven planning process regarding the preservation of the City-owned Red Bluff Tract for public use. (District 3)

(Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Ora Houston CO 4: Council Member Ann Kitchen)

Item(s) to Set Public Hearing(s)

32. Set a public hearing to receive citizen input on community needs concerning the City's Fiscal Year 2017-2018 Action Plan and Community Development Program, as required by the U.S. Department of Housing and Urban Development and Texas Local Government Code, Chapter 373. (Suggested date and time: April 20, 2017, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX).
33. Set a public hearing to consider an ordinance amending Ordinance No. 020829-58, authorizing the addition of one new neighborhood association to "Exhibit A" of the ordinance pursuant to Section 12-5-29 of the City Code. (Suggested date and time: May 4, 2017, 4:00 p.m., at Austin City Hall, 301 W. Second Street, Austin TX).
34. Set a public hearing to consider an ordinance creating an economic development program for and authorizing the negotiation and execution of an economic development agreement with Merck Sharp & Dohme Corporation (Suggested date and time: April 13, 2017, 1:30 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

Non-Consent

35. Staff presentation regarding a proposal to create an economic development program for Merck Sharp & Dohme Corporation. (Public comment is permitted on this staff presentation).

Executive Session

36. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
37. Discuss legal issues related to Kulisek v. City of Austin et. al, Cause No. D-1-GN-16-003549, in the 261st Judicial District Court of Travis County, Texas

(Private consultation with legal counsel - Section 551.071 of the Government Code).

Zoning Ordinances / Restrictive Covenants (HEARINGS CLOSED)

38. C14-2016-0132 - Property adjacent to 1311 S. Lamar - District 5 -District 5 - Approve second and third readings of an ordinance amending City Code Title 25-2 by rezoning property locally known as 1311 South Lamar Boulevard (West Bouldin Creek Watershed) from general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-vertical mixed use building (CS-V) combining district zoning. Staff Recommendation: To grant general commercial services-vertical mixed use building-conditional overlay (CS-V-CO) combining district zoning. First Reading approved on March 2, 2017. Vote: 10-0, Council Member Kitchen was off the dais. Owner/Applicant: Seamless GCW, LTD (Bernard Barrett). Agent: Drenner Group (Leah Bojo). City Staff: Andrew Moore, 512-974-7604.

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

39. NPA-2016-0016.01 - 3212 E. Cesar Chavez Street - District 3 -Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 3212 East Cesar Chavez Street (Colorado River Watershed) from Commercial and Industry land uses to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on May 9, 2017. Owner/Applicant: Painter Enterprises, a Texas Corporation. Agent: Husch Blackwell (Nikelle Meade). City Staff: Maureen Meredith, 512-974-2695.
40. C14-2016-0079 - 3212 E. Cesar Chavez Street - District 3 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3212 East Cesar Chavez Street (Colorado River Watershed) from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning and general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on May 9, 2017. Owner: Painter Enterprises Inc. (Donald E. Painter). Applicant: Husch Blackwell LLP (Nikelle Meade). City Staff: Heather Chaffin, 512-974-2122.
41. C14-2016-0020 - Lantana IV - District 8 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property

locally known as 7717 Southwest Parkway (Williamson Creek Watershed-Barton Springs Zone) from neighborhood commercial-neighborhood plan (LR-NP) combining district zoning to community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Owner/Applicant: JDI Holding LLC (Douglas Ivey). Agent: Sprouse Shrader Smith PLLC (Terry Irion). City Staff: Andrew Moore, 512-974-7604.

42. C14-85-288.8 (RCA4) - Lantana IV - District 8 - Conduct a public hearing to amend a restrictive covenant on property locally known as 7717 Southwest Parkway (Williamson Creek Watershed). Staff Recommendation: To grant the amendment to remove net leasable square footage and reduce the allowable impervious cover. Planning Commission Recommendation: To grant the amendment to remove net leasable square footage and reduce the allowable impervious cover. Applicant: Sprouse, Shrader, Smith/Terry Irion. Owner: JDI Holdings, LLC (Douglas Ivey). City Staff: Andrew Moore, 512-974-7604.
43. C14-2016-0124 - Parmer Business Park - District 7 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as the Southwest Corner of East Howard Lane and Harris Ridge Boulevard (Harris Branch Watershed) from limited industrial services-planned development area (LI-PDA) combining district zoning to limited industrial services-planned development area (LI-PDA) combining district zoning, to change a condition of zoning. Staff Recommendation: To grant limited industrial services-planned development area (LI-PDA) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: To grant limited industrial services-planned development area (LI-PDA) combining district zoning, with conditions. Owner/Applicant: Karlin McCallen Pass, LLC (Matthew Schwab). Agent: Armbrust & Brown, PLLC (Richard T. Suttle). City Staff: Sherri Sirwaitis, 512-974-3057.
44. C14-2016-0130 - 11410 Manchaca Road - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 11410 Manchaca Road (Slaughter Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Owner/Applicant: Manchaca Partners, Inc. (Sufian Emmar). Agent: Lenworth Consulting LLC (Nash Gonzales). City Staff: Wendy Rhoades, 512-974-7719.

45. C14-2016-0134 - Pioneer at Walnut Creek - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 11126 Sprinkle Cutoff Road (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to multifamily residence-low density (MF-2) district zoning. Staff Recommendation: Pending. Zoning and Platting Commission Recommendation: To be reviewed on April 4, 2017. Owner/Applicant: Nirav Amin. Agent: Vincent Gerard & Associates (Vincent G. Huebinger). City Staff: Sherri Sirwaitis, 512-974-3057.
46. C14-85-149.100.02 (RCA) - Scofield Apartments - District 7 - Conduct a public hearing to amend a public restrictive covenant on a property locally known as 13121, 13125, 13133, 13139, 13145, 13147 FM 1325 and 3001 Scofield Ridge Parkway (Walnut Creek Watershed). Staff Recommendation: To grant the Restrictive Covenant Amendment. Zoning and Platting Commission Recommendation: To grant the Restrictive Covenant Amendment. Owner/Applicant: Ringgold Partners II, L.P. (John Bultman, III). Agent: Drenner Group (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057.


Austin Housing and Finance Corporation Meeting


47. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <https://austin.siretechnologies.com/sirepub/mtgviewer.aspx?meetid=1415&doctype=Agenda>)

Public Hearings and Possible Actions

48. Conduct a public hearing and consider an ordinance adopting the 2015 International Residential Code with specific amendments.
49. Conduct a public hearing to amend the Imagine Austin Comprehensive Plan by adopting the Austin Strategic Housing Plan.

Adjourn

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

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

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

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



85th Legislative Session Update April 4, 2017



INTERGOVERNMENTAL
RELATIONS OFFICE

85th Legislature at a glance

Year	Total bills introduced	Total bills passed	City-Related bills introduced	City-Related bills passed
75 th – 1997	5,629	1,487	1,100+	140+
76 th – 1999	5,813	1,622	1,230+	130+
77 th – 2001	5,612	1,601	1,200+	150+
78 th – 2003	5,633	1,384	1,200+	110+
79 th – 2005	5,512	1,389	1,200+	105+
80 th – 2007	6,241	1,481	1,200+	120+
81 st – 2009	7,464	1,459	1,500+	120+
82 nd – 2011	5,938	1,379	1,500+	160+
83 rd – 2013	5,950	1,437	1,900+	220+
84 th – 2015	6,476	1,329	1,900+	220+
85 th – 2017	6,829	N/A	1900+	N/A



INTERGOVERNMENTAL
RELATIONS OFFICE

Environment at the Capitol

“As opposed to the state having to take multiple rifle-shot approaches at overriding local regulations, I think a broad-based law by the state of Texas that says across the board, the state is going to pre-empt local regulations, is a superior approach.”

- Gov. Greg Abbott, 21 March 2017



INTERGOVERNMENTAL
RELATIONS OFFICE

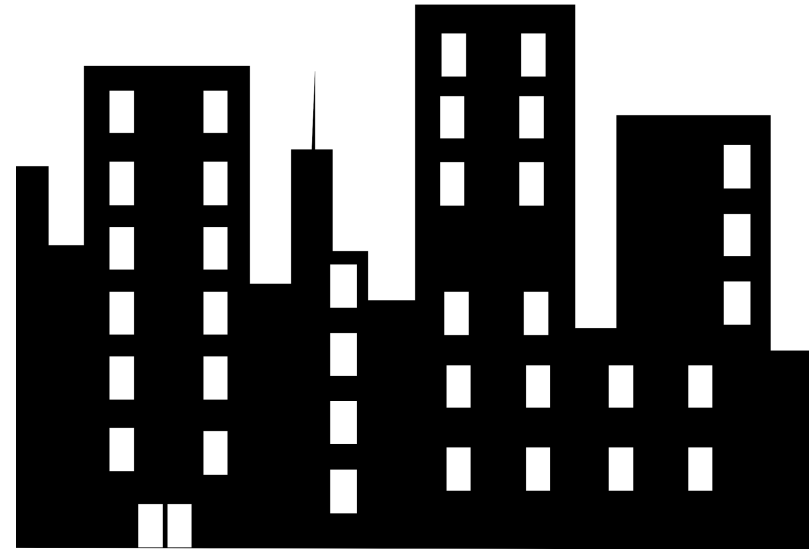
Revenue Caps

S.B. 2 (Bettencourt):

- Senate passed and sent to House – March 22
- Has not been referred to a House committee
- Senate amended the Cap from 4% to 5%
(\$24 less for Austin homeowner and \$11.4 million less for City)
- Voted along party lines

H.B. 15 (Bonnen):

- Cap remains 4%
- Rescind City ability to pay non-voter approved debt with debt service portion of tax rate
(Cost of \$21 million to M&O budget).
- Referred to Ways & Means - March 6.
- Still awaiting a hearing.



INTERGOVERNMENTAL
RELATIONS OFFICE

Sanctuary Cities

S.B. 4 (Perry) –

- Passed The Senate, Feb. 8.
- Party Line vote
- Pending House State Affairs, March 15.

House Companions

H.B. 611 (Leach) –

- Referred to House State Affairs, Feb. 22.

H.B. 754 (Fallon) –

- Referred to House State Affairs, March 1.

H.B. 889 (Geren) –

- Referred to House State Affairs, Feb. 23.

H.B. 1308 (Holland) –

- Referred to House State Affairs, Feb. 27.



INTERGOVERNMENTAL
RELATIONS OFFICE

Bathroom Bill

S.B. 6 (Kolkhorst) –

- Passed Senate and sent to House March 16.
- Party line vote with exception of Sen. Lucio voting aye
- Awaiting House Committee Referral



INTERGOVERNMENTAL
RELATIONS OFFICE

Transportation Network Companies (TNCs)

H.B. 100 (Paddie) –

- Voted out of House Transportation committee, March 30.
- Votes: 9 aye, 2 nay, and 2 absent
- Rep. Israel and Davis voting nay

S.B. 361 (Nichols) –

- Reported Favorably out of Business and Commerce committee, March 22.
- Sen. Zaffirini the lone nay vote

S.B. 176 (Schwertner) –

- Pending in Business & Commerce, March 14.

S.B. 113 (Huffines) –

- Pending in Business & Commerce Committee, March 14.



Short Term Rentals (STRs)

S.B. 451 (Hancock) –

- Passed Senate Business and Commerce, March 30.
- Sen. Zaffirini the lone nay vote
- Moves to the Senate floor for consideration

Companion

H.B. 2551 (Parker) –

- Referred to Urban Affairs March 22.



Fair Chance Hiring

H.B. 577 (Workman) –

- Pending in Business and Industry, March 20.

Companion

S.B. 1262 (Huffman) –

- Referred to Senate Business and Commerce, March 13.



INTERGOVERNMENTAL
RELATIONS OFFICE

Annexation

H.B. 299 (Larson) –

- Referred to House Land and Resource Management, Feb. 13.

H.B. 424 (Huberty) –

- Referred to Land and Resource Management, Feb. 20.

S.B. 715 (Campbell) –

- Referred to Senate IGR, Feb. 21



INTERGOVERNMENTAL
RELATIONS OFFICE

Linkage Fees

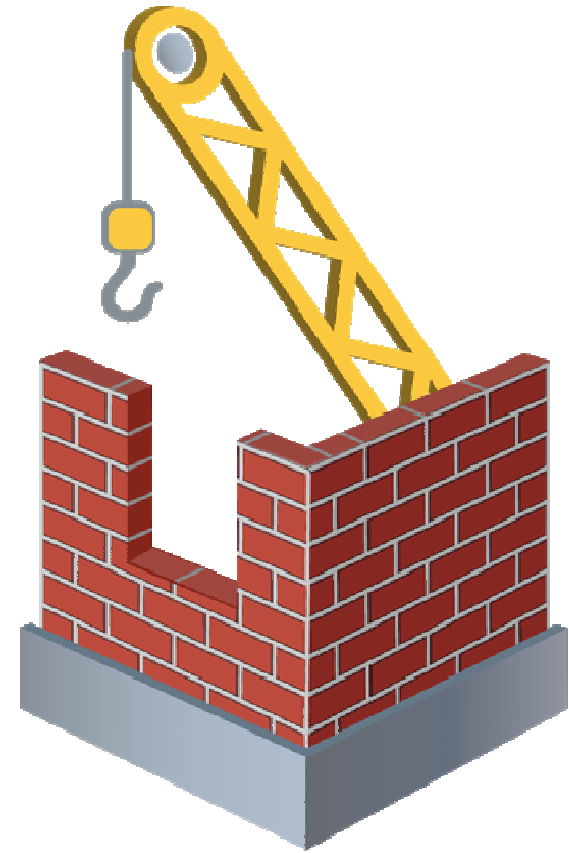
H.B. 1449 (Simmons) –

- Pending in House Ways & Means, March 29

Companion

S.B. 852 (Nelson) –

- Referred to Senate Business and Commerce, Feb. 27



INTERGOVERNMENTAL
RELATIONS OFFICE

Homestead Preservation Districts

H.B. 3281 (Rodriguez) –

- Referred to House Urban Affairs, March 28.

H.B. 3676 (Isaac) –

- Filed not Referred, March 10.

H.B. 4033 (Isaac) –

- Filed not referred, March 10.

Companions

S.B. 1656 (Watson) – companion to H.B. 3281

- Referred to Senate Intergovernmental Relations, March 22



INTERGOVERNMENTAL
RELATIONS OFFICE

Small Cell

S.B. 1004 (Hancock) –

- Passed Senate Business and Commerce committee, March 21.
- 7 ayes, 0 nays, 2 absent
- Moves to the Senate floor

S.B. 1515 (Hancock) –

- Referred to Business and Commerce committee, March 20.
- Awaiting hearing

Companions

H.B. 2838 (Geren) – companion to S.B. 1004

- Referred to House State Affairs, March 27.



Speed Limits

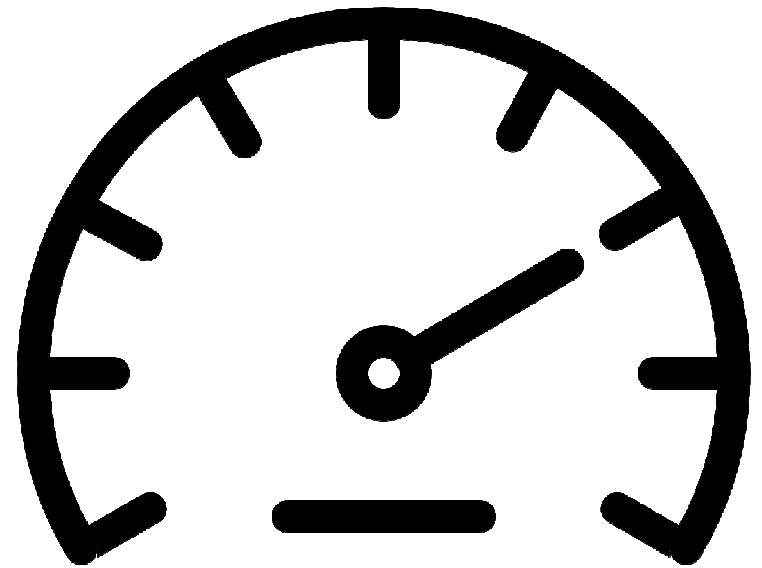
H.B. 1368 (Israel) –

- Referred to House Transportation, Feb. 27.

Companions

S.B. 1244 (Rodriguez) –

- Referred to Senate Transportation, March 13.



INTERGOVERNMENTAL
RELATIONS OFFICE

Austin Energy

H.B. 1458 (Workman) – Clarifies Council’s appointing power

- Referred to State Affairs, March 7.

H.B. 1459 (Workman) – Caps Gen. Fund transfer

- Referred to State Affairs, March 16.

H.B. 1460 (Workman) – Allows rate appeals to the P.U.C./effective dereg

- Referred to State Affairs, March 7

H.B. 1461 (Workman) – Requires sell of distribution assets

- Referred to State Affairs, March 7

Companions

S.B. 2069 (Buckingham) – companion to H.B. 1458

- Referred to Senate Business and Commerce, 28 March.

S.B. 2070 (Buckingham) – companion to H.B. 1459

- Referred to Senate Business and Commerce, 28 March.



Lions Municipal Golf Course

S.B. 822 (Estes) –

- Pending in Natural Resources and Economic Development, March 21.

Companion

H.B. 4059 (Larson) –

- Not referred, March 10



INTERGOVERNMENTAL
RELATIONS OFFICE

Historic Preservation

H.B. 3418 (Elkins) –

- Referred to House Urban Affairs, March 23



INTERGOVERNMENTAL
RELATIONS OFFICE

Water and Watershed Protection

H.B. 2851 (Workman) – Flood Control District

- Referred to Special Purpose Districts Committee, March 29.

H.B. 1523 (Workman)

- Southwest Travis County Special Utility District
- Referred to Special Purpose Districts Committee, March 13.

H.B. 4304 (Workman)

- Habitat conservation plans in Travis County
- Filed March 30, 2017

H.B. 3004 (Isaac)

- Dismissal of protests at the TCEQ regarding wastewater discharge permits
- Referred to House Environmental Regulation, March 27.



Budget

S.B. 1 (Estes) –

- Passed by Senate, March 28.
- House referred to Appropriations Committee, March 28
- House Appropriations passed a committee substitute, March 29.
- Now heads to the House floor.

H.B. 1 (Zerwas) –

- Currently in House Appropriations Committee



Next Update

April 18th

55 Days Left in Session.....



INTERGOVERNMENTAL
RELATIONS OFFICE



COUNCIL MEETING EFFICIENCY AND DELIBERATION

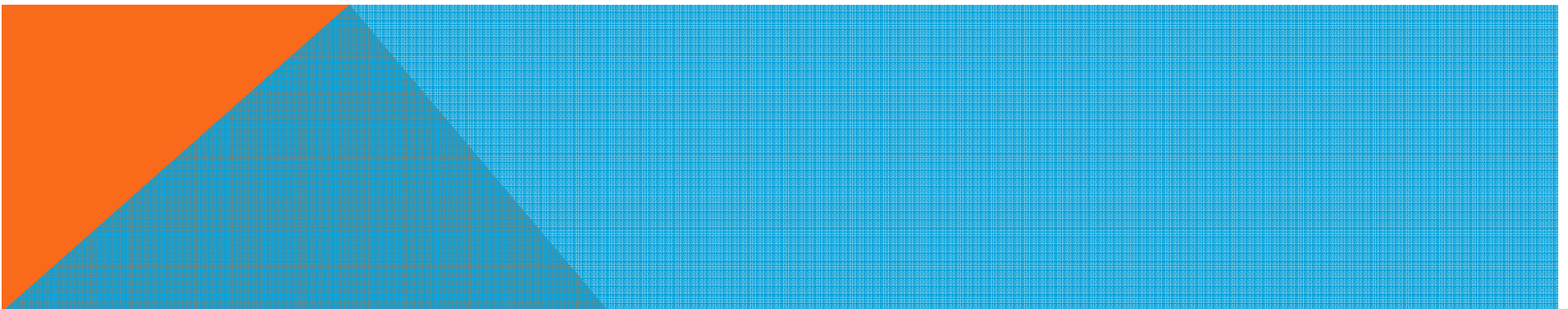
STAFF RECOMMENDATIONS

MARCH 21, 2017

COUNCIL DIRECTION

Provide Staff Recommendations on Improvements to Meeting Efficiency and Deliberation:

- CITIZEN PARTICIPATION AND ENGAGEMENT
- TASK FORCES INCLUDING PROVIDING A HISTORY OF TASK FORCES
- IMPROVEMENTS TO COUNCIL COMMITTEES



PROJECT TEAM

- **Jannette Goodall, City Clerk**
- **Myrna Rios, Assistant City Clerk**
- **Corrie Stokes, City Auditor**
- **Ray Baray, Chief of Staff**
- **Deborah Thomas, Deputy City Attorney**
- **Catie Powers, Agenda Process Manager**
- **Andrew Reyna, Council Meeting Coordinator**
- **Kerry O'Connor, Chief Innovation Officer**
- **Sabine Romero, Acting Chief Administrative Officer**

PROJECT GOALS

- **Identify “pain points” and possible efficiencies in the agenda process, meeting structure and citizen engagement**
- **Increase Council’s time for meeting preparation**
- **Maintain active citizen engagement**
- **Identify ways to continue transparency**
- **Provide council with short/long-term recommendations**

STAFF ANALYSIS

- Reviewed Existing Council Rules
- Reviewed Proposed Changes to the Meeting Rules by Council Members
- Reviewed *2014 Auditor's Report on Council Committees & Meeting Practices*
- Reviewed Council Discussions During Meetings and Message Board
- Reviewed the Current Agenda Process
- Pulled Citizen Participation Statistics from 2016
- Reviewed Current Practices Relating to Task Forces in Chapter 2-1
- Researched History of Task Forces Appointed by the Mayor

PAIN POINTS

- **Length of Meetings**
- **“Dead-Air” Times during Council Meeting Between Time-Certain Items**
- **Balancing Length of Meetings versus Citizen Engagement**
- **Insufficient Time to Prepare Between Agenda Posting and the Council Meeting**
- **Council’s Desire to Receive Backup Earlier**
- **Not Taking Full Advantage of Council Q&A and Message Board**
- **Not Enough Time During Work Sessions to Discuss Issues**
- **Purpose or Role of Council Committees**
- **Amount of Staff Time Dedicated to Meetings**

AGENDA PROCESS

Current Process of Posting Final Agenda on Friday Before Council Meeting

Staff Recommendation:

- No preliminary agenda will be posted.
- Post final agenda 2 weeks in advance (on Friday).
- Post any addendum to the final agenda on Friday before the meeting. Addendums would be reserved for **emergency** items only.
 - ❑ *Items would not be able to be postponed 1 week, except for emergencies.*

Justification:

- Provides more time for items to be reviewed prior to the meeting.
- Could allow Council more than 1 Work Session to discuss “hot” items.
- Would provide backup further in advance of the meeting.

Would Require Change to Chapter 2-5.

AGENDA PROCESS

Current Process Allows IFCs to be Placed on Meeting Agenda with Posting Language and Resolution

Staff Recommendation:

- Move deadline for submittal to 11 business days before meeting.
- Enforce requirements that IFCs:
 - ❑ *Include fiscal & operational impact as required by Chapter 2-5-2.*
 - ❑ *Include supporting documentation as required by Chapter 2-5-26.*

Justification:

- **Would reduce questions received after the item is posted on resources needed or costs associated with the item. Will allow for Council to view completed IFCs earlier.**
- **Would require a change to Chapter 2-5 to move deadline.**

Additional Recommendation

- IFCs that “direct the City Manager” would be posted for the Work Session.

COUNCIL WORK SESSIONS

Time Management and Efficiencies

Staff Recommendations:

– Establish Standard Schedule for the Work Session:

- ☐ *9 a.m. – 11 a.m. Discussion of Upcoming Council Agenda*
- ☐ *11 a.m. – Noon Staff Briefing*
- ☐ *12 p.m. Executive Session*

– Work Sessions Briefings

- ☐ *Establish maximum number of 1 briefing on a Work Session agenda.*
- ☐ *Establish 1 meeting a month devoted to staff briefings (maximum of 4 briefings with no action items on the agenda). This could be scheduled during a non-Council meeting week.*
- ☐ *Include presentations in Work Session backup.*
- ☐ *Move most briefings to Council committees.*

COUNCIL WORK SESSIONS

Time Management and Efficiencies

Staff Recommendations:

- **Utilize Council Q&A and Message Board to discuss items further in advance of the meeting.**
 - *Use Work Session for discussion among Council members, use Q&A for staff questions.*
- **Encourage Use of Memos to Council rather than briefings when possible, allowing briefings to be used for complex policy issues.**

COUNCIL MEETINGS

Staff Recommendations:

- **Start Times:** Keep existing start times (9 a.m./Work Session & 10 a.m./Council), but commit to starting on time.

Justification:

Pre-meeting time is used by Council and staff to prepare for the meeting and allows citizens time to register to speak on consent items.

- **Consent Agenda:** Pull items that Council wants to discuss or ask a question. The only discussion on consent should be the motion, the second to the motion and the vote.

Justification:

The Consent Agenda should be completed in 15-20 minutes from the start of the meeting. Completing it quickly would allow citizens and staff in Chambers to leave who are there for a consent item.

- **Consent Agenda:** Continue the practice of confirming citizens are in Chambers prior to pulling an item from consent for speakers.

COUNCIL MEETINGS

Staff Recommendations:

- **Existing Specified Time Certain Items:** Remove the existing specified times for Board Meetings, Staff Briefings, Bond Sales and Zoning. Establish practice of taking up Zoning discussion items at 2 p.m.
 - *Would only leave a required time certain for public hearings at 4 p.m.*

Justification:

Would provide Council with more flexibility when these items are taken up during a meeting and could eliminate the “dead” air time that can occur waiting for a specific time before continuing with a meeting. Would require Changes to Chapter 2-5.

- **Establish “set” break times:**
 - *12 noon for Citizen Communication*
 - *Lunch (12:30 p.m. – 1:30 p.m.); Dinner (5:30 p.m. – 6:30 p.m.)*
 - *Items not taken up before 10:00 p.m. would be postponed.*
 - *Requires no change to existing Council Rules.*

CEREMONIAL ITEMS

Staff Recommendations:

- **Reinstate Live Music on the Plaza** and replace Live Music at the Council Meetings with live music either on Friday at Noon or Wednesday at 5:30 pm.
 - *Would require a Code amendment to remove Live Music from the agenda.*
- **Keep Proclamations at the 5:30 p.m. Council Meeting time slot.**

Other possible options for proclamations:

- *Reduce number of meetings at which proclamations are presented to twice a month, 5 per meeting.*
- *Limit amount of proclamations from each Council Office presented during council meetings (10 per council office, per year).*
- **Make use of special called or non-ceremonial meetings for items that are of high public interest or will have large amount of public testimony.** Examples include: The Grove or CodeNext.

CITIZEN PARTICIPATION AND ENGAGEMENT

2016 MEETING STATISTICS

2016: approximately 557 hours were spent at Council Meetings and Work Sessions
(includes executive sessions and breaks)

Work Sessions (includes executive sessions)

— 133.33 hours

Council Discussions and Budget Work Sessions

— 75 hours

Council Meetings (special called and budget adoption)

— 348.50 hours

2016 SPEAKER STATISTICS

33 Council Meetings

Number of speakers

- 2,386 wishing to speak
- 1,571 not wishing to speak
- 775 donating time
- **Total of 3,161 wishing to speak or donating time**

Number of Minutes

- 7,158 minutes for speakers wishing to speak or 119 hours
- 2,325 additional minutes from citizens donating time or 39 hours
- **Total minutes: 9,483 or 158 hours**
 - 45% of the 348.50 hours spent in Council Meetings

Number of items with 60 or more speakers: 4

Number of items with 20-59 speakers: 13

2016 DONATION OF TIME

In 2016 there were 2,386 speakers wishing to speak and an additional 775 people who donated time to these speakers.

- 775 people had time donated to them at 3 minutes = 2,325 minutes or 38.75 hours
- Of the 775 speakers:
 - 208 received donated time from 1 individual
 - 154 received donated time from 2 individuals
 - 105 received donated time from 3 individuals
 - 252 received donated time from 4 individuals
 - 25 received donated time from 5 individuals

POSSIBLE OPTIONS FOR DONATED TIME

Reduce the time donated to 2 minutes

- With 775 speakers that would equal 1,550 minutes or 25.8 hours compared to the 2,335 minutes (119 hours)

Reduce the time donated to 1 minute

- With 775 speakers that would equal 775 minutes or 13 hours compared to the 2,335 minutes (119 hours)

Reduce the number of speakers who could donate from 4 to 2

Reduce the number of speakers who could donate to 2 and reduce the time donated to 1 minute

MARCH 2, 2017 MEETING

Length of meeting: 14 hours and 8 minutes

- Consent
 - 10 AM consent: 18 minutes (5 items with 2 speakers)
 - Zoning consent: 19 minutes (4 speakers who did not speak)
- Items pulled from consent: 156 minutes (18% of the meeting)
 - 15 speakers/6 donating: 63 minutes
- Items from Council pulled from consent: 139 minutes (16% of the meeting)
 - 21 speakers/2 donating: 69 minutes
- Zoning discussion items: 285.63 minutes (34% of the meeting)
 - 27 speakers/15 donating: 126 minutes
- Public Hearings: 60 minutes
 - 11 speakers/3 donating: 42 minutes
- Live music/Proclamations: 27 minutes
- General Citizen Communication: 17 minutes (3 speakers)
- Breaks:
 - Lunch: 72 minutes
 - Dinner: 52 minutes

MARCH 2, 2017

Speakers

- 107 Registered wishing to speak
- 37 Registered not wishing to speak
- 40 Registered donating time
 - They donated time to 18 individual speakers
 - 12 of the 18 had more than one person donating time
 - 8 of the 12 had three or four individuals donating time
- 40 speakers donating time at 3 minutes each = 120 minutes (2 hours)
 - Reducing the time allotted for donation
 - 2 minutes = 80 minutes or 40 minutes less
 - 1 minute = 40 minutes or 80 minutes less

CLOSING SPEAKER SIGN-UP

The person may register at any time after 12:00 noon on the Monday preceding a council meeting, and before the last person who has registered to testify has been called.

- Staff Recommendations:
 - No change to the time the agenda is open for registrations to begin. This allows the Clerk's Office to incorporate any addendum items in speaker sign-up before registration begins.
 - Items with no speakers registered when Council discussion begins the item is closed for registration.
 - Items with speakers registered the item is closed once the last speaker registered has been called.
 - Consent items that are withdrawn or postponed per changes and corrections close registration prior to the meeting
 - Requires no change to existing Council Rules

SPEAKER & DONATED TIME

Currently each speaker receives 3 minutes and can have donated time from 4 additional speakers for a maximum of 15 minutes.

- First 20 speakers are allowed 3 minutes each
- Each subsequent speaker is allowed 1 minute each
- Total time for public comment on an agenda item may not exceed 90 minutes unless extended by council.
- Staff Recommendations:
 - Establish a set amount of time for the primary speaker
 - Establish a maximum number of citizens who can donate time
 - Establish a set amount allotted for each donations.

GENERAL CITIZEN COMMUNICATION

Currently 10 slots are available at Noon

- No speaker may register more than once every three regularly scheduled meetings.
- 2016 Statistics
 - 29 meetings had General Citizen Communication of which 40% of the meetings had fewer than the 10 slots assigned.
 - 231 Citizens total registered of which 20% did not show
 - Of the 231, 17% registered to speak at multiple meetings including 4 that registered to speak at 6 or more meetings
- **Staff Recommendation:**
 - Consider increasing the number of meetings between registrations to once every 4-6 meetings and/or moving general citizen communication to 5 or 5:30 p.m. (if live music is moved). Would require a Code amendment to Chapter 2-5-28 (D).

FUTURE RECOMMENDATIONS

New Agenda Management System has the potential to provide for E-comments submitted online prior to a meeting.

Speaker Sign-up could potentially be modified to allow citizens to register their opinion only (not register to speak) in advance of the meeting. Would require modification to the existing system and would have to be explored in greater detail.

Upgrades to the Council Message Board to make it more user friendly and robust.

Identify items that come before Council that could be dealt with outside a Council Meeting. Examples may include: appeals, fee waivers, etc.

Analyze impact of increasing City Manager's authority relating to contracts.

FUTURE RECOMMENDATIONS

Open Government Partnership Commitment #4: City Public Meetings

To help Austin community members better navigate issues of concern, and to make city decision-making processes more understandable and accessible, we commit to furthering transparency and accountability by gathering, sharing, and analyzing data on the activities during public meetings to recommend opportunities for efficiencies and effectiveness.

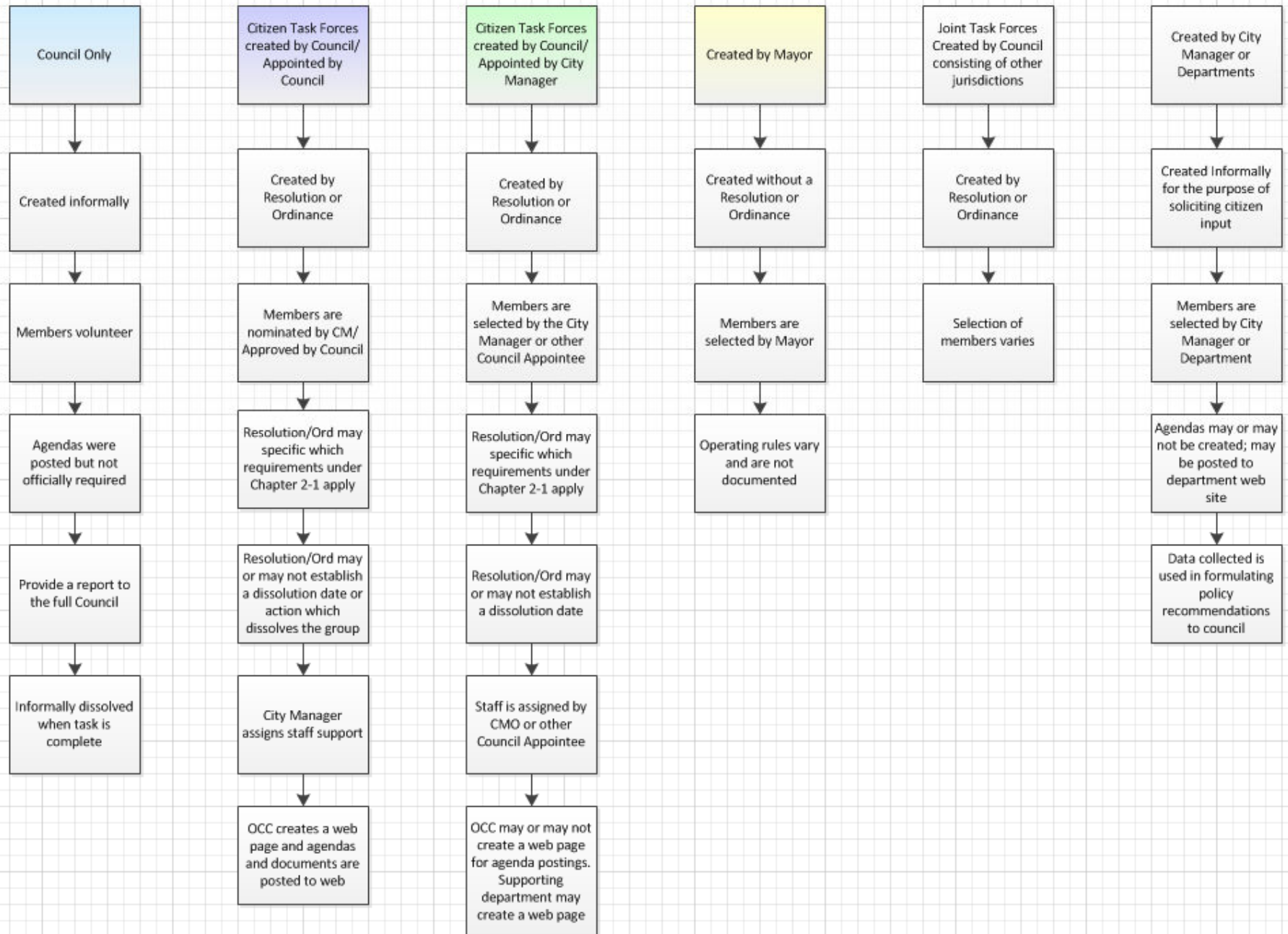
Desired outcomes for this project
1) Public understanding of the activities at public meetings is increased through access, both in person and electronically.
2) Council communication is improved with through new practices built on shared understanding of what works
3) The effectiveness of each meeting is increased, with a clear progression through debate.
4) Establish meaningful options for informational and decision flows that will have the effect of making public meetings more accessible to the public
5) Create a better understanding for citizens on how initiatives are funded and how departments use resources from the General Fund and other budgetary sources.

TASK FORCES

TASK FORCES

- Council Rules have not defined the use of Council task force or Council ad hoc committee at the Council level.
- Chapter 2-1 defines a task force: as a non-codified temporary advisory body established by resolution or ordinance for a specific purpose that expires upon the completion of its assigned task or according to a specific deadline.
- Chapter 2-1 defines a working group: as a body of board members established by vote of the board, consisting of less than a quorum of the board, to which the board delegates a defined matter, or matters, for consideration and recommendation to the board. It is automatically dissolved after it reports its recommendations to the board and may consist of non-members.
- The following slide provides a breakdown of how task forces have been created in the past, how members are appointed and who makes the nominations/appointments.

City of Austin: Task Forces



HISTORY OF MAYOR'S TASK FORCES

History and accomplishments was difficult to track.

- Rules and goals were unique and varied over time.
- Difficult to determine created date or when they dissolved.
- Difficult to determine who served.
- Difficult to determine the purpose or goal of the task force.
- Difficult to determine if a final report was required.
- Difficult to determine if any documentation of the task force activities were preserved.

HISTORY OF MAYOR'S TASK FORCES

Mayor's Task Force on Mental Health

- Created by Mayor Wynn in August 2004; Final report delivered to Council in January 2005

The Mayor's Task Force on the Economy

- Created by Mayor Watson sometime before December 2002; A subcommittee of the task force provided a final report in April 2003.

Task Force on Libraries of the Future

- Created by Mayor Watson in 2000; Final report was accepted by Council on December 14, 2000.

Task Force on Crime, Drugs and Gangs

- Created by Mayor Cooke sometime around 1990 or earlier. Status report was given to Council on March 19, 1992.

Task Force for Smart Growth

- Created by Mayor Watson in 1998.

Smart Streets Task Force

Only mention was in an August 2007 Street Smarts Task Force Bicycle Facilities Toolbox Report.

TASK FORCES

Staff Recommendations:

- Council should formally establish rules or procedures on the creation of task forces or ad hoc committees.
 - City Clerk's Office has a checklist of considerations when creating a task force such as subject to the Texas Open Meetings Act; web page needs to be created, etc.
- Documentation of the work of the task force should be preserved.
 - City Clerk's Office can work with the task force to create a central web page that would be publicly available.

COUNCIL COMMITTEES

COUNCIL COMMITTEES

2016 Council Committee Meetings

- 95 meetings scheduled of which 30 were cancelled
- Total hours: 147.33

2016 Citizen Participation Statistics

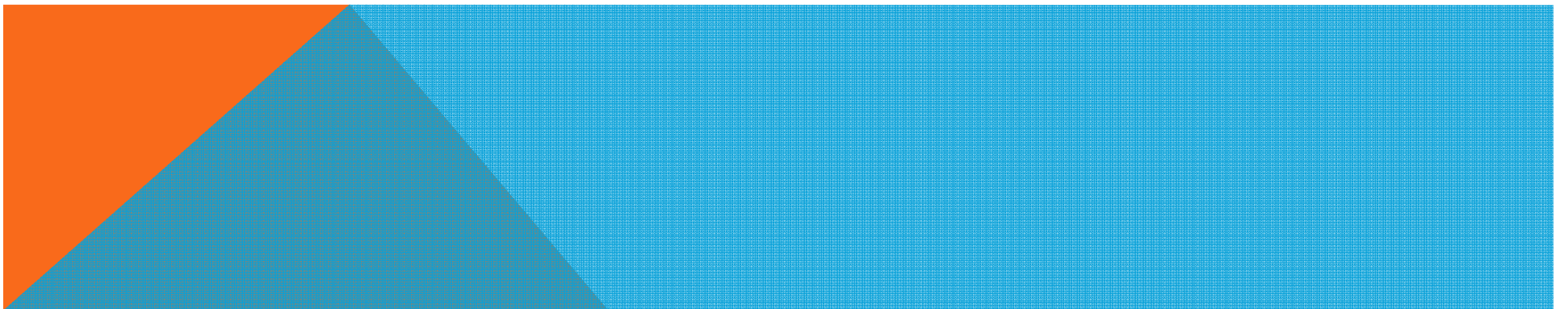
- 43 Council Committees (March 28-December)
 - Number of speakers: 382
 - 325 wishing to speak
 - 38 not wishing to speak
 - 25 donating time
 - Number of Minutes
 - 975 minutes for citizens wishing to speak or 16.25 hours
 - 75 minutes for citizens donating time or 1.25 hours
 - Total minutes for citizen comments: 1,050 or 17.50 hours or 12% of your total time in Committee meetings

COUNCIL COMMITTEES

Staff Recommendations:

- Align each committee to a primary strategic goal.
- Limit meetings to once per month with the option to reduce or increase as needed.
- Create bylaws for each Council Committee

QUESTIONS?



A G E N D A



Recommendation for Council Action

Austin City Council Work Session	Item ID	69895	Agenda Number	E.2
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Meeting Date:	4/4/2017	Department:	Legal
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Subject

Discuss legal issues related to Kulisek v. City of Austin et. al, Cause No. D-1-GN-16-003549, in the 261st Judicial District Court of Travis County, Texas (Private consultation with legal counsel - Section 551.071 of the Government Code).

Amount and Source of Funding

Fiscal Note

Purchasing Language:	
Prior Council Action:	
For More Information:	
Council Committee, Boards and Commission Action:	
MBE / WBE:	
Related Items:	

Additional Backup Information