

AGENDA



Recommendation for Council Action

AUSTIN CITY COUNCIL

Regular Meeting: May 24, 2018

Item Number: **013**

Financial Services

Approve an ordinance authorizing negotiation and execution of an amendment to the Waller Creek District Joint Design, Development, Management and Operation Agreement and related documents between the City of Austin, Waller Creek Conservancy, and the Waller Creek Local Government Corporation concerning the revitalization of the Waller Creek District; approving the Amended Design Plan; and waiving certain City Code provisions relating to naming of features and new facilities within the District in furtherance of the agreements between the parties. (Related to Items 11, 12, 14, 15, 16, 67, and TIF #1).

Lead Department	Financial Services
Fiscal Note	See Attachment - Project and Financing Plan Amendment #2.
Prior Council Action	<p>June 20, 2013 - Council approved the negotiation and execution of the joint development agreement and related documents between Waller Creek Conservancy, the City and the Waller Creek Local Government Corporation concerning the revitalization of the Waller Creek District;</p> <p>February 14, 2013 - Council authorized an amendment to the Memorandum of Understanding to authorize the City's contribution of \$270,000 toward the Conservancy's hiring of Michael Van Valkenburgh Associate/Thomas Phifer & Partners for design services related to coordination of the Waller Creek Tunnel Program with the Waller Creek Design;</p> <p>December 6, 2012 - Council approved Resolution No 20121206-038 authorizing negotiation and execution of an amendment to the Memorandum of Understanding between the City and the Conservancy for the City to contribute an amount not to exceed \$75,000 toward the Conservancy's hiring of a Project Coordinator and</p>

	<p>to acknowledge the City and Conservancy agreement to retain the selected design team;</p> <p>October 18, 2012 - Council approved Resolution No. 20121018-068 affirming the selection of the design team chosen by the Waller Creek Design Competition Jury relating to the revitalization of the Waller Creek District;</p> <p>April 28, 2011 - Council approved Resolution No. 20110428-014 authorizing the creation and incorporation of the Waller Creek Local Government Corporation;</p> <p>September 23, 2010 - Council approved Resolution No. 20100923-090 directing the city manager to explore a public-private partnership for the development, management, and operation of the Waller Creek District including Waterloo and Palm Park with the Waller Creek Conservancy.</p>
For More Information	Greg Canally (512)974-2609; Kim McNeeley (512)974-6722; Mike Personett (512) 974-2652
Council Committee, Boards and Commission Action	None.

Additional Backup Information:

Council adopted Resolution No. 20100923-090 on September 23, 2010, directing the City Manager to explore a public-private partnership with the Waller Creek Conservancy (Conservancy) for the development, management, and operation of the Waller Creek District (District). On April 28, 2011, Council approved a memorandum of understanding with the Conservancy laying the foundation for a cooperative working relationship between the City and the Conservancy. The agreement described the international design competition funded by both the City and the Conservancy that resulted in the selection of Michael Van Valkenburgh Associates and Thomas Phifer & Partners as the design team for the Waller Creek District. Council created the Waller Creek Local Government Corporation (LGC) at the same time to act on behalf of the City in matters related to the District. The initial agreement contemplated that once the design competition was completed and a firm was selected, the City, the Conservancy and the LGC would execute a joint development agreement in order to move forward with the revitalization of the Waller Creek District.

Council is being asked to approve the negotiation and execution of an amendment to the joint development agreement between the Waller Creek Conservancy, the City and the Wall Creek Local

Government Corporation. Additionally, Council is being asked to approve an amendment to the Design Plan for the District parks and related facilities as reflected in the Attachment to this Request for Council Action. Finally, Council is also being asked to waive certain portions of the City Code relating to naming of features and new facilities in the District to allow the Conservancy to fund raise for the parks. The names will be consistent with Austin values as previously directed by Council, and will be in compliance with the requirements relating to tax-exempt bond funded facilities.

Please see Attachment B for more information related to the changes to the Joint Design, Development, Management and Operation Agreement.

The original Joint Design, Development, Management and Operation Agreement as approved in 2014 by the Waller Creek Local Government Corporation can be found here:

http://www.austintexas.gov/cityclerk/boards_commissions/meetings/2014_72_1.htm