



# City of Austin Determination for the LGC to Authorize City Contracts

Waller Creek Local Government Corporation Meeting | July 31, 2020



# PURPOSE OF PROPOSED COUNCIL ACTION



Authorize LGC to make procurement determinations (alternative project delivery methods such as Construction Manager-at-Risk, Competitive Sealed Proposal, Design-Build)



Authorize the negotiation, award and execution of City contracts necessary for the design and construction of the projects within the Waller Creek District

# GOALS

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- Leverage the LGC's management and oversight purpose, as outlined in the Joint Development Agreement, for each of the parties within the partnership
- Allow the team to continue to deliver world-class projects while optimizing the strengths of partnership
- Provide a quick and efficient delivery model for the Council-approved design plan, while being responsive to upcoming procurement and contracting needs

# WHY NOW?

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- A City-held contracting method is being evaluated for the construction of the Waller Creek District | Creek Delta Project
- City of Austin's Law Department reviewed previous Council resolutions and ordinances and determined that Council did not explicitly delegate this power to the LGC
- Without this explicit authorization, the LGC has limited authority to act on behalf of Council regarding the execution of City-held contracts

# BENEFITS + SUPPORT

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- Consistent with the spirit of the public-private partnership
- When project scope aligns with areas of technical expertise held by the City, it is preferable for the City to hold contracts within the District to allow for quick and efficient delivery
- Continuation of work in the District has the capability of providing an economic driver during these uncertain times given ongoing impacts of coronavirus pandemic
- Support from PARD and WPD for providing legal clarification of implicit authority already understood
- PARD and WPD also request the LGC to consider formally approving a recommendation to support this action at the August LGC Meeting

# SCHEDULE

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## JULY MILESTONES

- **July 31:** LGC Meeting  
Introduction of Proposed Council  
Action and Discussion

## AUGUST MILESTONES

- **August 14:** City Council Agenda  
Available
- **August TBD:** LGC Meeting to request  
support for the proposed Council action
- **August 27:** City Council Meeting

# SUPPORTING DOCUMENTS



## MEMORANDUM

TO: Mayor and Council

THRU: Christopher Shorter, Assistant City Manager  
Rey Arellano, Assistant City Manager

FROM: Kimberly McNeeley, CPRP, Director, Parks and Recreation Department *Kimberly McNeeley*  
Jorge Morales, P.E., CFM, Director, Watershed Protection Department *Jorge Morales*

DATE: July 29, 2020

SUBJECT: Waller Creek District Program Update

The purpose of this memo is to provide an annual update to Mayor and Council regarding the Waller Creek District (District). The memo includes updates related to the project progress, budget, and schedule for Waterloo Park, Symphony Square, Creek Delta, and Palm Park. As the update demonstrates, the City of Austin (City) and Waterloo Greenway Conservancy (WGC, formerly known as the Waller Creek Conservancy) continue to advance capital improvements in the District while considering the unprecedented challenges due to COVID-19. Ultimately, we are successfully leveraging the strengths and talent of our partnership to implement and manage the construction of this world-class public green space.

### BACKGROUND

The City and WGC are developing the District along a restored Waller Creek in downtown Austin. Extending from Waterloo Park to Lady Bird Lake, the District will include 35 acres of public green space along 1.5 miles of a restored and ecologically resilient Waller Creek. Within the park system, there will be 3 miles of new hike and bike trails, public art installations, play spaces for family and children, and engaging cultural programs. The revitalized urban ecosystem will reintroduce community-centered spaces to our city, transforming a historically forgotten place, plagued by flash floods, poor water quality, and crumbling infrastructure, into an extraordinary park system for Austin. Below is a list of key Council actions to support this vision to date:

- June 20, 2007: Council created Waller Creek TIRZ No. 17 to finance the construction of the Waller Creek Tunnel Project.
- September 23, 2010: Council approved a resolution directing the City Manager to explore a public-private partnership with the Waller Creek Conservancy for the development, management, and operation of the Waller Creek District.
- April 28, 2011: Council approved the Memorandum of Understanding between the City and the Waller Creek Conservancy and created the Waller Creek Local Government Corporation (LGC).

- **Council Memo | Waller Creek District Program Update (Completed)**  
Mayor and Council provided update on July 28, 2020
- **LGC Memo | Departmental Support for Council Delegation of Authority to the Waller LGC for City Contracts (Completed)**
- **RCA 20-2504 (In Review)**  
Draft RCA will be presented to the LGC at the August meeting. RCA is scheduled to be on the Council agenda for the August 27th meeting.
- **RCA 20-2504 Resolution (In Development)**  
Draft Resolution will be presented to the LGC at the August meeting. Resolution will be presented to Council at the August 27<sup>th</sup> meeting.
- **Boards and Commission Recommendation (Pending)**  
Recommendation will be titled 'Waller Creek Local Government Corporation Recommendation'. The draft recommendation will be presented to the LGC at the August meeting for approval (TBD)





# Questions + Discussion

Waller Creek Local Government Corporation Meeting | July 31, 2020