



**AUSTIN CITY COUNCIL  
MINUTES**

**REGULAR MEETING  
THURSDAY, FEBRUARY 25, 2016**

**The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, February 25, 2016 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.**

**Mayor Adler called the Council Meeting to order at 12:28 p.m.**

**CITIZENS COMMUNICATIONS: GENERAL**

CAROLANNEROSE KENNEDY - POLICE BRUTALITY begins with the CALL to 911. – **Not present.**

Paul Madero - Stop removing people from Cactus Rose Mobile Home Park.

Erica Crespo - TBA.

David King - Transparency.

Jeffrey Archer - TBA.

Bill Oakey - Affordability issues.

Judi Edwards - Neglected neighborhoods. – **Not present.**

Alan Pease - Zilker Park

Quione Behman - PARD and hiring practice.

Zoila Vega - Animal issues.

**Mayor Adler recessed the meeting at 1:00 p.m.**

**Mayor Adler called the Council Meeting back to order at 2:13 p.m.**

**Mayor Adler recessed the meeting at 2:13 p.m.**

Mayor Adler called the Council Meeting back to order at 2:47 p.m.

**CONSENT AGENDA**

**The following items were acted on by one motion.**

1. Approve the minutes of the Austin City Council work session of February 9, 2016, regular meeting of February 11, 2016, council discussion of February 16, 2016 and special called meeting of February 17, 2016.  
**The minutes from the City Council work session of February 9, 2016, regular meeting of February 11, 2016, council discussion of February 16, 2016 and special called meeting of February 17, 2016 were approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
2. Authorize issuance of a rebate to Foundation Communities for performing energy efficiency improvements at the Trails at the Park Apartments located at 815 W. Slaughter Lane, in an amount not to exceed \$62,367. (District 5)  
**The motion authorizing the issuance of a rebate to Foundation Communities was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-1 vote. Council Member Zimmerman voted nay.**
3. Authorize issuance of a rebate to Nimes Capital, for performing energy efficiency improvements at The Ballpark Austin Apartments located at 4600 Elmont Drive, in an amount not to exceed \$85,595. (District 3)  
**The motion authorizing the issuance of a rebate to Nimes Capital was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**
4. Authorize issuance of a rebate to Oracle America Inc., for the installation of energy efficiency measures at its data center located at 11400 N. Lamar Blvd., in an amount not to exceed \$118,808. (District 7)  
**The motion authorizing the issuance of a rebate to Oracle America Inc. was approved on consent Council Member Gallo's motion, Council Member Houston's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Zimmerman abstained.**
5. Authorize the negotiation and execution of an amendment to the cost reimbursement agreement with FIRST CONTINENTAL INVESTMENT COMPANY, LTD. to increase the amount of the City's cost reimbursement by \$13,580.10 for a total amount not to exceed \$291,512.10.  
**The motion authorizing the negotiation and execution of an amendment to the cost reimbursement agreement with First Continental Investment Company, Ltd. was approved on consent Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
6. Authorize negotiation and execution of an interlocal agreement with Williamson County for relocation and adjustment of water and wastewater facilities in the amount of \$1,010,224.50 plus an \$85,970.65 contingency for a total of \$1,096,195.15.  
**The motion authorizing the negotiation and execution of an interlocal agreement with Williamson County was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**

7. Authorize exempted sole source procurements for the Department of Aviation's membership in Airports Council International – North America in a total amount not to exceed \$100,000.  
**The motion authorizing exempted sole source procurements was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
8. Authorize execution of a construction contract with L.D. TEBBEN CO., INC for CLMC531A, Rutherford Lane Renovations Rebid, in the amount of \$1,069,814 plus a \$106,981.40 contingency, for a total contract amount not to exceed \$1,176,795.40. (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 5.40% MBE and 20.10% WBE participation.)  
**The motion authorizing the execution of a construction contract with L.D. Tebben Co., Inc was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**
9. Authorize execution of Change Order #3 to the construction contract with FACILITIES REHABILITATION, INC. (MBE/MH), for the Barrington Way Force Main Reroute and Gravity System Upgrade project in the amount of \$260,384, for a total contract amount not to exceed \$1,932,088.70. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 97.17% MBE and 2.83% WBE participation.)  
**The motion authorizing the execution of change order number three of a construction contract with Facilities Rehabilitation, Inc. was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
10. Authorize execution of Change Order #4 to the construction contract with MOUNTAIN CASCADE OF TEXAS, LLC, for the Bellingham Meadows/William Wallace Lift Station Wastewater Relief Main in the amount of \$167,470, for a total contract amount not to exceed \$1,943,415. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 19.52% MBE and 2.63% WBE participation.)  
**The motion authorizing the execution of change order number four of a construction contract with Mountain Cascade of Texas, LLC was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
11. Authorize the use of the competitive sealed proposal procurement method for solicitation of construction improvements to the Eliza Springs Amphitheater at the Barton Springs Pool. (Notes: MBE/WBE goals will be established for this solicitation before issuance.)  
**The motion authorizing the use of the competitive sealed proposal method for solicitation of construction improvements to the Eliza Springs Amphitheater was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**

**Items 12 & 13 were pulled for discussion.**

14. Approve an ordinance amending the Fiscal Year 2015-2016 Emergency Medical Services Department Operating Budget Special Revenue Fund (Ordinance No 20150908-001) to accept and appropriate \$2,601 in additional grant funds from the CAPITAL AREA TRAUMA REGIONAL ADVISORY COUNCIL for the purchase of supplies and equipment to assist in the delivery of patient care.  
**Ordinance No. 20160225-014 was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**

**Items 15 & 16 were pulled for discussion.**

17. Approve a resolution supporting the City's participation in the Open Government Partnership subnational pilot program.  
**Resolution No. 20160225-017 was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**
18. Approve a resolution supporting an application to be submitted by the Housing Authority of Travis County, or an affiliated entity, for an award of Low Income Housing Tax Credits from the Texas Department of Housing and Community Affairs to help finance rehabilitation of two multi-family housing developments, Summit Oaks Apartments, located at 11607 Sierra Nevada Lane (District 10) and the Alexander Oaks Apartments, located at 6119 Valiant Circle (District 8).  
**Resolution No. 20160225-018 was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained.**
19. Authorize negotiation and execution of a 36-month and 19-day lease extension for approximately 4,934 rentable square feet of office space for the Treasury Office, located at 700 Lavaca Street, Suite 940, from TRAVIS COUNTY, TEXAS, in an amount not to exceed \$472,094.25 (District 9).  
**The motion authorizing the negotiation and execution of a lease extension from Travis County was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**
20. Approve an ordinance amending the Fiscal Year 2015-2016 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to accept and appropriate grant funds in the amount of \$25,000 for the Connecting Children to Nature Planning Grant.  
**Ordinance No. 20160225-020 was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
21. Authorize negotiation and execution of an interlocal cooperation contract with Travis County to design, construct, and manage a multi-use trail, a portion of which will cross the Onion Creek Wildlife Preserve.  
**The motion authorizing the negotiation and execution of an interlocal cooperation contract with Travis County was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**
22. Approve an ordinance amending the Fiscal Year 2015-2016 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to accept and appropriate grant funds in the amount of \$300,000 from the Andy Roddick Foundation to provide high-quality summer programming for Austin-area children.  
**Ordinance No. 20160225-022 was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
23. Approve execution of an amendment to the interlocal agreement with the University of Texas for the U.S. Department of Justice grant-funded program, Restore Rundberg, to add approximately 10 months to the term.

**The motion approving the execution of an amendment to an interlocal agreement with the University of Texas was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Members Houston and Troxclair abstained.**

24. Approve an ordinance amending the Fiscal Year 2015-2016 Public Works Transportation Fund Operating Budget (Ordinance No. 20150908-001) to appropriate \$2,000,000 for the minor construction repair and street preventive maintenance programs; and to decrease the Fiscal Year 2015-2016 Public Works Department Transportation Fund's ending balance by \$2,000,000.  
**Ordinance No. 20160225-024 was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
25. Authorize negotiation and execution of contracts for the purchase of furniture and fixtures for the New Central Library through the U.S. Communities Cooperative with WORKPLACE RESOURCE in an amount not to exceed \$1,083,435, SHELTON-KELLER in an amount not to exceed \$391,152 and through the Texas Multiple Award Schedule Cooperative with MCCOY ROCKFORD, in an amount not to exceed \$204,729, LIBRA-TECH in an amount not to exceed \$1,284,851, and FACILITY INTERIORS in an amount not to exceed \$557,846, for total contracts not to exceed \$3,522,013. (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.)  
**The motion authorizing the negotiation and execution of contracts with Workplace Resource, Shelton-Keller, McCoy Rockford, Libra-Tech and Facility Interiors was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**
26. Authorize award and execution of a 60-month contract with TIBH INDUSTRIES, INC. to provide landscaping maintenance services at various City facilities in an amount not to exceed \$4,875,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. Goals were not established due to limited subcontracting opportunities.)  
**The motion authorizing the award and execution of a contract with TIBH Industries, Inc. was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**
27. Authorize negotiation and execution of a 36-month contract with RIPPNER TENNIS, LLC, or one of the other qualified offerors to Request for Proposal TVN0056, to provide management services for the South Austin Tennis Center in an amount not to exceed \$153,000, with two 36-month extension options in an amount not to exceed \$153,000 per extension option, for a total contract amount not to exceed \$459,000. (Notes: This contract is exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program as an agreement to use City real property.)  
**The motion authorizing the negotiation and execution of a contract with Rippner Tennis, LLC or one of the other qualified offerors for the South Austin Tennis Center was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**
28. Approve ratification of a contract with OSMOSE UTILITY SERVICES, INC. for the emergency repair of two electrical transmission towers in the amount of \$70,000. (Notes: This contract is

exempt from City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program as specified in Texas Government Code Chapter 252.022.)

**The motion approving the ratification of a contract with Osmose Utility Services, Inc. was approved on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**

29. Authorize award and execution of a contract with PAT'S GARAGE to provide refurbished Prius battery packs in an amount not to exceed \$77,000. (Notes: This contract will be awarded as a sole source and is exempt from City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program.)

**The motion authorizing the award and execution of a contract with Pat's Garage was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**

30. Authorize award and execution of a 24-month contract with TEXAN WASTE EQUIPMENT INC. DBA HEIL OF TEXAS to provide parts and repairs for Schwarze sweepers in an amount not to exceed \$314,388, with four 12-month extension options in an amount not to exceed \$157,194 per extension option, for a total contract amount not to exceed \$943,164. (Notes: This contract will be awarded as a sole source and is exempt from City Code 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program.)

**The motion authorizing the award and execution of a contract with Texan Waste Equipment Inc. doing business as Heil of Texas was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**

31. Authorize award and execution of a 24-month contract with COVERT CHEVROLET to provide Chevrolet parts and repair services in an amount not to exceed \$142,180, with four 12-month extension options in an amount not to exceed \$71,090 per extension option, for a total contract amount not to exceed \$426,540. (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 an insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing the award and execution of a contract with Covert Chevrolet with four extension options was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**

32. Authorize award and execution of a contract with WOODS FUN CENTER, INC. DBA BMW MOTORCYCLES OF AUSTIN for police motorcycles in an amount not to exceed \$149,146. (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. )

**The motion authorizing the award and execution of a contract with Woods Fun Center, Inc. doing business as BMW Motorcycles of Austin was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**

**Item 33 was pulled for discussion.**

34. Authorize negotiation and execution of five contracts through the Houston-Galveston Area Council Cooperative for medium and heavy duty vehicles and pieces of equipment with DEERE & CO in an amount not to exceed \$115,273, with LONGHORN INTERNATIONAL TRUCKS LTD in an amount not to exceed \$1,309,374, with NATIONAL BUS SALES & LEASING INC. in an amount not to exceed \$106,000, with NILFISK-ADVANCE, INC. in an amount not to exceed \$469,029 and with TEXAN WASTE EQUIPMENT INC. DBA HEIL OF TEXAS in an amount not to exceed \$222,597, for a total amount not to exceed \$2,222,273. (Notes: This cooperative contract was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Woman Owned Enterprise Procurement Program. For the goods and services required for this contract, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)  
**The motion authorizing the negotiation and execution of five contracts with Deere & Co, Longhorn International Trucks Ltd, National Bus Sales & Leasing Inc., Nilfisk-Advance, Inc. and Texan Waste Equipment Inc. doing business as Heil of Texas was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**
35. Authorize negotiation and execution of two contracts through the Texas Multiple Award Schedule Cooperative for medium and heavy duty vehicles with ALTEC INDUSTRIES INC. in an amount not to exceed \$366,372 and POLARIS SALES INC. in an amount not to exceed \$123,730, for a total amount not to exceed \$490,102. (Notes: This cooperative contract 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 contract, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)  
**The motion authorizing the negotiation and execution of two contracts with Altec Industries Inc and Polaris Sales Inc. was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 10-0 vote. Council Member Zimmerman abstained.**
36. Authorize negotiation and execution of 10 contracts through the Texas Local Government Purchasing Cooperative (BuyBoard) for medium and heavy duty vehicles and pieces of equipment with BRIGGS EQUIPMENT in an amount not to exceed \$143,120, CENTRAL TEXAS EQUIPMENT in an amount not to exceed \$193,250, CLARK EQUIPMENT COMPANY in an amount not to exceed \$145,972, COOPER EQUIPMENT CO INC in an amount not to exceed \$446,882, DEERE & CO in an amount not to exceed \$1,182,752, JOHN DEERE SHARED SERVICES INC. in an amount not to exceed \$89,498, NUECES FARM CENTER DBA NUECES POWER EQUIPMENT in an amount not to exceed \$655,879, RDO EQUIPMENT CO in an amount not to exceed \$1,260,303, RIVER CITY MARKETING INC. in an amount not to exceed \$140,094, and TYMCO INC. in an amount not to exceed \$245,079, for a total amount not to exceed \$4,502,829. (Notes: This cooperative contract 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 contract, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)  
**The motion authorizing the negotiation and execution of ten contracts with Briggs Equipment, Central Texas Equipment, Clark Equipment Company, Cooper Equipment Co Inc, Deere & Co, John Deere Shared Services Inc., Nueces Farm Center doing business as Nueces Power Equipment, RDO Equipment Co, River City Marketing Inc and TYMCO Inc. was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**

37. Authorize negotiation and execution of a contract with DOBLE ENGINEERING COMPANY for the purchase of three-phase relay test sets in an amount not to exceed \$254,045. (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.)  
**The motion authorizing the negotiation and execution of a contract with Doble Engineering Company was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
38. Authorize negotiation and execution of a contract with JOHN B. COFFMAN LLC, for independent consumer advocate services for Austin Energy's residential and small commercial customers, in an amount not to exceed \$200,000. (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. )  
**The motion authorizing the negotiation and execution of a contact with John B. Coffman LLC was approved on consent on Council Member Gallo's motion, Council Member Houston's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained.**
39. 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.  
**The following appointments and certain related waivers were approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**

### Nominations

Board/Nominee	Nominated by
Airport Advisory Commission Alex Reyna	Council Member Zimmerman
Animal Advisory Commission Paul Martin	Council Member Zimmerman
Bond Oversight Commission Sumit DasGupta	Mayor Adler
Commission on Veterans Affairs Lloyd Pete Phillips	Council Member Zimmerman
Joint Cultural Committee Pramod Patil	Asian American Quality of Life Advisory Commission
Music Commission Liz Land	Mayor Pro Tem Tovo
Planning Commission	



Karen McGraw

Mayor Pro Tem Tovo

**Outside Appointments**

**Onion Creek Metropolitan Park  
District Board of Directors  
Susan Roth**

City Nominee

Alesha Larkins

City Nominee

Tyler Zickert

District Nominee

Andrea Rado Hamilton

District Nominee

**Waivers**

Approve a waiver of the attendance requirement in Resolution No. 20150521-026 for the service of Kevin Weir on the Land Development Code Advisory Group. The waiver includes absences through today's date.

Approve a waiver of the requirement in Section 2-1-21(H) of the City Code for the appointment of Sumit DasGupta. The waiver allows his simultaneous service on the Community Technology and Telecommunications Commission and Bond Oversight Commission.

Approve a waiver under Section 2-1-27(e) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for a person appointed to a City board on or before July 1, 2015, if the person completed the training required by Section 2-1-23 on or before March 12, 2016.

Board	Name	District
African American Resource Advisory Commission	Clifford Gillard	3

Approve a waiver under Section 2-1-27(e) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for a person appointed to a City board between August 1, 2015 through August 31, 2015, if the person completed the training required by Section 2-1-23 on or before March 12, 2016.

Board	Name	District
Community Development Commission	Angelica Noyola	CDC- Montopolis

Approve a waiver under Section 2-1-27(e) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for a person appointed to a City board between October 1, 2015 through October 31, 2015, if the person completed the training required by Section 2-1-23 on or before March 26, 2016.

Board	Name	District
Community Development Commission	Vanessa Crawford	CDC- Colony Park

Mexican American Cultural Center Advisory Board	Aida Cerda- Prazak	4
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Approve a waiver under Section 2-1-27(e) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for a person appointed to a City board between November 1, 2015 through November 30, 2015, if the person completed the training required by Section 2-1-23 on or before March 19, 2016.

Board	Name	District
Commission for Women	Rossana Barrios	2
Planning Commission	Angela Pineyro De Hoyos	Mayor
Public Safety Commission	Emmanuel Loo	2

40. Approve an ordinance waiving or reimbursing certain fees and requirements and authorizing payment of certain costs for the City co-sponsored 2016 Zilker Park Kite Festival which is to be held on March 6, 2016 at Zilker Park. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Delia Garza CO 2: Council Member Sabino "Pio" Renteria CO 3: Mayor Steve Adler CO 4: Council Member Gallo)  
**Ordinance 20160215-040 was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
41. Approve the waiver or reimbursement of certain fees and requirements under City Code Chapter 14-8 and authorize payment of certain costs for the Texas Independence Day 5K Run and Parade, co-sponsored by the City and Celebrate Texas Incorporated, which will be held on March 5, 2016. (Notes: SPONSOR: Council Member Delia Garza CO 1: Council Member Gregorio Casar CO 2: Council Member Ann Kitchen CO 3: Mayor Steve Adler CO 4: Council Member Gallo)  
**The motion to approve the waiver or reimbursement of certain fees and requirements under City Code Chapter 14-8 and authorize payment of certain costs for the Texas Independence Day 5K Run and Parade was approved on consent on Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
42. 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)  
**This item was postponed to March 3, 2016 on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
43. Approve an ordinance amending chapter 2-5 of the city code relating to council committees and procedures for council meetings. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Mayor Steve Adler CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Delia Garza CO 4: Council Member Leslie Pool)  
**This item was postponed to March 3, 2016 on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
44. Approve an ordinance amending City Code Chapter 13-2 relating to ground transportation passenger services. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Sheri Gallo CO 2: Council Member Delia Garza CO 3: Council Member Leslie Pool)  
**This is was withdrawn on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**

**Item 45 was pulled for discussion.**

46. Approve an ordinance waiving certain fees and requirements for the 2016 Bengali New Year Festival sponsored by the Bangladesh Association of Greater Austin which is to be held Saturday, April 16, 2016 at Fiesta Gardens. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Ora Houston CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool)  
**Ordinance No. 20160225-046 was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
47. Approve an ordinance waiving or reimbursing certain fees and waiving certain requirements for a community lecture on the Evolution of Latino Urbanism sponsored by the Congress for the New Urbanism which is to be held on Thursday, February 25, 2016 at the Emma S. Barrientos Mexican American Cultural Center. (Notes: SPONSOR: Council Member Delia Garza CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Gregorio Casar CO 3: Council Member Sabino "Pio" Renteria)  
**Ordinance No. 20160225-047 was approved on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**

**Item 48 was pulled for discussion.**

49. Approve a resolution directing the City Manager to review the City's non-discrimination employment policies and practices, to make recommendations to the Council by May 1, 2016, about ways to strengthen employee protections in these policies and practices, and to request that the Director of Human Resources initiate amendments to the Municipal Civil Service rules to strengthen employee protections against discrimination in the workplace. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Delia Garza CO 2: Council Member Leslie Pool CO 3: Council Member Ann Kitchen CO 4: Mayor Steve Adler)  
**This item was postponed to March 24, 2016 on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
50. Set public hearings for the full purpose annexation of the Cascades Municipal Utility District No. 1 annexation area (approximately 136 acres in southern Travis County east of IH 35 South approximately four tenths of a mile south of the intersection of IH 35 South and Onion Creek Parkway; Council District 5). (Suggested dates and times: March 31, 2016 at 4:00 p.m. and April 7, 2016 at 4:00 p.m., Austin City Hall, Council Chambers, 301 West Second Street, Austin, Texas.)  
**This item was withdrawn on consent on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**
51. Set public hearings for the full purpose annexation of the Parker Creek Ranch annexation area (approximately 90 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). (Suggested dates and times: March 31, 2016 at 4:00 p.m. and April 7, 2016 at 4:00 p.m., Austin City Hall, Council Chambers, 301 West Second Street, Austin, Texas.)  
**The public hearings were set on consent for March 31, 2016 at 4:00 pm and March 31, 2016 at 4:00 pm at 301 W. Second Street, Austin, TX on Council Member Gallo's motion, Council Member Houston's second on an 11-0 vote.**

Items 52 through 55 were referred from Council Committees.

Items 56 through 59 were Executive Session items.

Item 60 was the Austin Housing and Finance Corporation Meeting set for 3:00 p.m.

Items 61 through 66 were public hearing items set for 4:00 p.m.

Item 67 was an Addendum Item.

### **EXECUTIVE SESSION**

**The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.**

56. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn without objection.**
57. Discuss legal issues related to February 8, 2016 officer-involved shooting (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn without objection.**
58. Discuss legal issues related to Public Utility Commission of Texas Docket No. 42857, Petition by North Austin Municipal Utility District No. 1, Northtown Municipal Utility District, Travis County Water Control and Improvement District No. 10, and Wells Branch Municipal Utility District appealing the wholesale water and wastewater rates of the City of Austin (Private consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn without objection.**
59. Discuss legal issues related to the adoption of affordable housing requirements as a condition of development approval, also known as inclusionary zoning (Private Consultation with legal counsel - Section 551.071 of the Government Code).  
**This item was withdrawn without objection.**

### **DISCUSSION ITEMS**

12. Authorize negotiation of a professional services agreement with CDM SMITH, INC. (staff recommendation) or one of the other qualified responders to Request For Qualifications Solicitation No. CLMP179, to provide consulting services for the Integrated Water Resource Plan in an amount not to exceed \$1,000,000. (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.)  
**The motion authorizing the negotiation of a professional services agreement with CDM Smith, Inc. or one of the other qualified responders was approved on consent on Council Member Pool's motion, Mayor Pro Tem Tovo's second on a 9-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman.**
13. Approve a resolution authorizing the City Manager and other city officers to negotiate and execute all documents necessary to enter into a U.S. Department of Housing and Urban

Development loan in an amount not to exceed \$3,000,000 under Section 108 of the Housing and Community Development Act of 1974, as amended to finance the Family Business Loan Program.

**Resolution No. 20160225-013 was approved on Council Member Pool's motion, Council Member Renteria's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained.**

15. Approve an ordinance amending the Fiscal Year 2015-2016 Budget Stabilization Reserve Fund Operating Budget (Ordinance No. 20150908-001) to transfer out \$160,000 to the General Fund; and amending the General Fund Operating Budget (Ordinance No. 20150908-001) to transfer in \$160,000 from the Budget Stabilization Reserve Fund; and to appropriate \$160,000 to increase expenditures in the Health and Human Services Department Operating Budget for childcare services for families in the Passages Program.

**Ordinance No. 20160225-015 was approved on Mayor Pro Tem Tovo's motion, Council Member Garza's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Members Gallo and Troxclair abstained.**

16. Approve a resolution establishing a process for performance reviews of the City Manager, City Clerk, City Auditor, and Clerk of the Municipal Court.

**Resolution No. 20160225-016 was approved on Council Member Houston's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.**

**The following amendment failed on Council Member Zimmerman's motion, Council Member Troxclair's second on a 1-10 vote. Council Member Zimmerman voted aye.**

**"6. Following the individual performance evaluation session of an appointee who manages less than 1,000 employees, the City Council may take action in open session concerning the compensation and benefits of the appointee as determined by the Council.**

**7. Following the individual performance evaluation session of the City Manager and any other appointee who manages 1,000 or more employees, the City Council shall call a special public meeting to report and review the manager's evaluation, and immediately accept public testimony regarding that evaluation, then take action in open session concerning the compensation and benefits of the manager as determined by the Council."**

48. Approve a resolution initiating historic zoning for Rosewood Courts located at 2001 Rosewood Avenue, Austin, Texas 78702 and supporting the nomination and inclusion of Rosewood Courts in the National Register of Historic Places. (Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Leslie Pool CO 2: Council Member Sabino "Pio" Renteria CO 3: Mayor Pro Tem Kathie Tovo)

**A motion to approve the resolution was made by Council Member Houston and seconded by Council Member Pool.**

**A motion to amend the resolution as follows was made by Council Member Gallo and seconded by Council Member Zimmerman. The amendment was to have the resolution read:**

**"BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**The City Council directs the City Manager to work with the Housing Authority of the City of Austin to provide options and City staff's recommendation for preserving the historical significance of Rosewood Courts, located at 2001 Rosewood Avenue, which may include the initiation of historic zoning or other similar mechanisms.**

**BE IT FURTHER RESOLVED:**

The City Manager is directed to present these options and staff's recommendation to the City Council for Council action by no later than June 9, 2016.

**BE IT FURTHER RESOLVED:**

The City Council supports the nomination and inclusion of Rosewood Courts in the National Register of Historic Places based on the local and national significance of Rosewood Courts.

**BE IT FURTHER RESOLVED:**

The City Council instructs the city clerk to forward copies of this resolution to the State Historic Preservation Officer and appropriate officials at the National Park Service and the Austin Housing Authority so it may be a part of the record of the nomination."

A substitute motion to amend the first Be It Resolved clause to read as listed below was made by Mayor Pro Tem Tovo, seconded by Council member Houston.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:** The City Council directs the City Manager to work with the Housing Authority of the City of Austin to provide options and City staff's recommendation for preserving the historical significance of Rosewood Courts, located at 2001 Rosewood Avenue. The city Council initiates historic zoning on the Rosewood Courts property located at 2001 Rosewood Avenue Austin, Texas 78702 and directs the City Manager to process historic zoning for this property.

A motion to recess the meeting was approved on Council Member Zimmerman's motion, Council Member Houston's second on a 9-2 vote. Council Members Gallo and Pool voted nay.

Mayor Pro Tem withdrew her substitute motion.

An amendment to Council Member Gallo's amendment was approved on Council Member Houston's motion, Mayor Pro Tem Tovo's second on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Houston, Kitchen, Pool, Renteria and Troxclair. Those voting nay were Council members Gallo, Garza and Zimmerman.

The amendment language removed the language from the **BE IT RESOLVED:** "City staff's recommendation for preserving" and "or other similar mechanisms."

The amendment language included the language to the **BE IT RESOLVED:**

"Mid Tex Mod and Preservation Austin add organizations without limitations to inform the appropriate boards and commissions and City Council regarding the historical significance of preserving Rosewood Courts, located at 2001 Rosewood Avenue, which shall include the initiation of historic zoning. The City Council initiates historic zoning on the Rosewood Courts property located at 2001 Rosewood Avenue Austin, Texas 78702 and directs the City Manager to process historic zoning for the property."

A clarification of the amendments was requested and a revote of Council Member Houston's amendment to Council Member Gallo's amendment. The vote for Council Member Houston's amendment to the **BE IT RESOLVED** and first **BE IT FURTHER**

**RESOLVED** was reapproved on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Houston, Kitchen, Pool, Renteria and Troxclair. Those voting nay were: Council Members Gallo, Garza and Zimmerman.

Council Member Gallo's amendment with Council Member Houston's amendments to the second and third BE IT RESOLVED was approved on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Gallo and Renteria abstained.

The first BE IT RESOLVED was approved on an 8-0 vote. Council Members Gallo, Renteria and Zimmerman abstained.

The second BE IT RESOLVED was approved on an 11-0 vote.

The third BE IT RESOLVED was approved on an 11-0 vote.

The fourth BE IT RESOLVED was approved on an 11-0 vote.

Mayor Adler recessed the meeting at 5:47 p.m. for Live Music and Proclamations.

**LIVE MUSIC**

Weldon Henson

**PROCLAMATIONS**

Proclamation - Texas State Representative Elliott Naishtat retirement - to be presented by Council Member Leslie Pool and to be accepted by the honoree

Proclamation - Digital Inclusion Leadership Award - to be presented by Mayor Steve Adler and to be accepted by representatives of the Unlocking the Connection Program

Distinguished Service Award - Beverly Piper, Municipal Court - to be presented by Mayor Steve Adler and to be accepted by the honoree

Certificate of Appreciation - Ishmael Soto - to be presented by Mayor Steve Adler and to be accepted by the honoree

Certificate of Congratulations - Lawrence Jolly, 2015 People's Choice Award artwork - to be presented by Mayor Steve Adler and Council Member Don Zimmerman and to be accepted by the honoree

Proclamation - Bill Pickett 145th birthday - to be presented by Council Member Sabino "Pio" Renteria and to be accepted by Gerald Anderson

Proclamation - World Kidney Day - to be presented by Mayor Steve Adler and to be accepted by Lisa Watson – **Not present.**

Mayor Adler called the Council Meeting back to order at 7:10 p.m.

45. Approve a resolution directing the City Manager to convene stakeholders to develop a conceptual plan that identifies a vision for the streets, parks and plazas around the MetroRail Downtown Station. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Ora Houston CO 3: Council Member Ann Kitchen)  
**Resolution No. 20160225-045 was approved as amended below on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-0 vote. Council Members Troxclair and Zimmerman abstained. Council Member Gallo was off the dais.**

**The amendment was to have it read:**

**"WHEREAS, the Downtown Station is located in a high-density, mixed-use downtown neighborhood with approximately 920 residents and more than 5,000 hotel rooms within a five-minute walk of the Downtown Station, and it is surrounded by the Austin Convention Center, the Hilton Hotel, Waller Creek Historic Brush Square; and Brush Square Museums,**

**WHEREAS, Historic Brush Square was established in 1839 as part of Edwin Waller's original plan for the City and is one of only three remaining original public squares and the home of the Brush Square Museums, which are significant civic and cultural amenities; and**

**WHEREAS, the Brush Square Museums include three historically and architecturally significant buildings that hold official city and national designations, including the 1888 O. Henry Museum, the City's first history museum; the 1869 Susanna Dickinson Museum; and the 1938 Austin Fire Station #1, which houses the Austin Fire Museum; and**

**WHEREAS, the Downtown MetroRail Station and associated transit plaza abuts Brush Square, an important urban green space with heritage trees and passive recreation with the potential enhancement through high-quality landscape and urban design; and**

**The amended language removes:**

**WHEREAS, the Downtown MetroRail Station and associated transit plaza abuts historic Brush Square, one of four public squares designated as part of Edwin Waller's 1839 original plan for the City, and home to three publicly-operated museums: the O. Henry, Susanna Dickinson, and Austin Fire Museums; and**

33. Authorize negotiation and execution of a contract through the National Joint Powers Alliance Cooperative with W.W. GRAINGER INC for two floor scrubbers in an amount not to exceed \$93,587. (Notes: This cooperative contract 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 contract, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)  
**The motion authorizing the negotiation and execution of a contract with W.W Grainger Inc. was approved on consent on Council Member Pool's motion, Council Member Renteria's second on an 8-0 vote. Council Members Troxclair and Zimmerman abstained. Council Member Gallo was off dais.**
54. Approve an ordinance amending City Code Chapter 14-1 relating to the naming or renaming of park facilities. (Notes: Parks and Recreation Department)  
**This item was postponed to March 24, 2016 on Council Member Pool's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Gallo was off the dais.**



53. Authorize negotiation and execution of an interlocal agreement with the University of Texas Center for Transportation Research, in the amount not to exceed \$2,500,000 for five years for transportation research and analysis support. (Notes: Transportation Department)  
**The motion authorizing negotiation and execution of an interlocal agreement with the University of Texas Center for Transportation Research was approved on Council Member Kitchen's motion, Council Member Pool's second on a 7-1 vote. Council Member Zimmerman voted nay. Council Members Houston and Troxclair abstained. Council Member Gallo was off the dais.**

**Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 7:25 p.m. See separate minutes.**

60. 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.

**Mayor Adler called the Council Meeting back to order at 7:28 p.m.**

#### **PUBLIC HEARINGS**

63. Conduct a public hearing and consider an ordinance granting a site specific amendment to City Code Section 25-8-514 and granting variances to City Code Sections 25-8-261 and 25-8-482 to allow redevelopment of St. Catherine of Siena Church (SP-2014-0476C). This action requires a site specific amendment to the Save Our Springs Initiative and concerns property in the Barton Springs Zone (District 8). Related to Item #64.  
**The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20160225-063 was approved on an 11-0 vote.**
64. Conduct a public hearing and consider an ordinance regarding floodplain variances for the redevelopment of St. Catherine of Siena Church located at 4800 Convict Hill Road as requested by the owner of the property (District 8). The property is partially in the 25-year and 100-year floodplains of the Kincheon Branch, a tributary of Williamson Creek. Related to Item #63.  
**The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20160225-064 was approved on an 8-2 vote. Those voting aye were: Mayor Adler, Council Members Casar, Garza, Kitchen, Pool, Renteria, Troxclair and Zimmerman. Those voting nay were: Mayor Pro Tem Tovo and Council Member Houston. Council Member Gallo abstained.**

#### **PUBLIC HEARINGS CONTINUED**

61. Conduct a public hearing and consider a resolution for 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.  
**The public hearing was conducted and the motion to close the public hearing and approve Resolution 20160225-061 was approved on Council Member Houston's motion, Council Member Pool's second on an 11-0 vote.**

62. Conduct a public hearing and consider an ordinance adopting the local standards of care for the Parks and Recreation Department's youth recreation programs.  
**The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20160225-062 was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.**
66. Conduct a public hearing and consider a resolution for the use of dedicated parkland, known as Lady Bird Lake at Auditorium Shores Park, Butler Park, Shoal Beach Park, Duncan Park, and Republic Square Park (District 9), for approximately 18,456 square feet of permanent reclaimed water transmission and distribution main use, approximately 38,836 square feet of temporary working space use, and approximately 6,502 square feet of temporary staging area and materials storage site use, to construct, use, maintain, repair, and replace reclaimed water transmission and distribution mains for construction of a portion of the Main to Junction 420 (Downtown Area) project, in accordance with Chapter 26 of the Texas Parks and Wildlife Code.  
**This item was postponed to March 24, 2016 was approved on Council Member Zimmerman's motion, Council Member Renteria's second on an 11-0 vote.**
65. Conduct a public hearing and consider an ordinance regarding the South Congress Preservation and Improvement District 2016 assessment roll and authorize the levying of 2016 assessments.  
**The public hearing was conducted and the motion to close the public hearing and approve Ordinance 20160225-065 was approved on Council Member Zimmerman's motion, Council Member Renteria's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Kitchen was off the dais.**
52. Discussion regarding compensation for the Municipal Civil Service Commissioners. (Notes: Committee)  
**Discussion regarding compensation for the Municipal Civil Service Commissioners was conducted.**
55. Approve a resolution directing the City Manager to prepare a report of possible reductions to Austin Water's General Fund transfer. (Notes: Committee)  
**Resolution No. 20160225-055 was approved as amended on consent on Council Member Troxclair's motion, Council Member Zimmerman's second on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Gallo, Houston, Kitchen, Pool, Troxclair and Zimmerman. Those voting nay were: Council Members Casar, Garza and Renteria.**
- The amended language includes:**
- "BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**  
**The City Manager is directed to develop a report which contains information about financial implications on the General Fund and Economic Development transfers at 1% incremental reductions over a period of time or for other changes to the transfer policy.**  
**The report shall be presented to the City Council no later than May 31, 2016.**
- The report shall be presented to the City Council no later than May 31, 2016."**
67. Approve a resolution related to the identification of additional homestead preservation districts and homestead preservation reinvestment zones. (Notes: Committee)  
**Resolution No. 20160225-067 was approved as amended on Council Member Casar's motion, Council Member Kitchen's second on a 9-2 vote. Those voting aye were: Mayor**

**Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman.**

**The amendment is to have the first BE IT RESOLVED clause read:**

**“The City Manager is directed to finalize analysis of the 2013 US Census data, or more updated data, to determine all the new potential HPDs that could be created.”**

**Mayor Adler adjourned the meeting at 9:25 p.m. without objection.**

**The minutes were approved on this the 3rd day of March 2016 on Council Member Pool’s motion, Council Member Troxclair’s second on a 10-0 vote. Mayor Pro Tem was off the dais.**