



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, JUNE 23, 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, June 23, 2016 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:18 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council special called meetings of June 13 and 14, 2016, work session of June 15, 2016 and regular meeting of June 16, 2016.
The minutes from the Austin City Council special called meetings of June 13 and 14, 2016, work session of June 15, 2016 and regular meeting of June 16, 2016 were approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Item 2 was pulled for discussion.

3. Approve issuance of a rebate to FLEXTRONICS for the installation of water conservation measures, in an amount not to exceed \$100,000.
The motion approving the issuance of a rebate to Flextronics was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-2 vote. Those voting aye: 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.
4. Authorize negotiation and execution of an amendment for the interlocal agreement with the Upper Brushy Creek Water Control Improvement District for the relocation of a 15-inch diameter wastewater line for an increase of \$1,847,322.50, for a total agreement not to exceed \$3,812,322.50.
The motion authorizing the negotiation and execution of an amendment for the interlocal agreement with the Upper Brushy Creek Water Control Improvement District was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Troxclair abstained.

5. Authorize negotiation and execution of an interlocal agreement with the University of Texas for consulting services regarding the beneficial use of lime residuals generated at the City's water treatment plants for a total of \$70,200, plus a contingency of \$3,510 for a total not to exceed \$73,710. (District 2)
The motion authorizing the negotiation and execution of an interlocal agreement with the University of Texas was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
6. Authorize the use of the Construction-Manager-at-Risk contracting methodology for solicitation of construction services for the Alliance Children's Garden. (Notes: MBE/WBE goals will be established prior to issuance of this solicitation.)
The motion authorizing the use of the construction-manager-at-risk contracting method for solicitation of construction services for the Alliance Children's Garden was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Member Troxclair and Zimmerman abstained.
7. Authorize execution of a construction contract with ALPHA PAVING INDUSTRIES, LLC., for the Annual Asphalt Repair 2016 Indefinite Delivery/Indefinite Quantity service contract in the initial amount of \$1,000,000 for a term of 12 months, with two 12-month extension options of \$1000,000, for a total contract amount not to exceed \$3,000,000 over an estimated three years or until financial authorization is depleted. (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 98.87% MBE and 1.10% WBE participation.)
The motion authorizing the execution of a construction contract with Alpha Paving Industries, LLC. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
8. Authorize negotiation and execution of a change order to the construction contract with M.A. SMITH CONTRACTING CO., INC., for the Nelray Boulevard and Evans Avenue Utility Rehabilitation project, in the amount of \$212,918, using existing funds and authorizing an additional \$140,379.91 plus an additional contingency of \$167,620.09 for a total contract amount not to exceed \$3,597,291.69. (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 11.45% MBE and 2.43% WBE participation to date.)
The motion authorizing the negotiation and execution of a change order to the construction contact with M.A. Smith Contracting Co, Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
9. Authorize negotiation and execution of a Job Order Assignment with KBR, LLC., one of the City's Facilities Improvement Job Order Contractors, for the renovation and improvements to the Southeast Austin Community Branch Library project for a total amount not-to-exceed \$700,000. (Notes: This 2013 Job Order 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 5.88% MBE and 1.81% WBE participation.)
The motion authorizing the negotiation and execution of a job order assignment with KBR, LLC. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
10. Authorize execution of a construction contract with BLASTCO TEXAS, INC., for the Lost Creek #1 and #2 Reservoir Improvements project in the amount of \$1,747,612 plus a \$174,761.20

contingency for a total contact amount not to exceed \$1,922,373.20. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 2.15% MBE and 16.20% WBE participation.)

The motion authorizing the execution of a construction contract with Blastco Texas, Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

11. Authorize execution of a construction contract with M.A. SMITH CONTRACTING CO, INC., for the Retired Facilities Decommissioning Phase B project in the amount of \$1,246,400 plus a \$124,600 contingency, for a total contract amount not to exceed \$1,371,000. (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 15.73% MBE and 1.32% WBE participation.)

The motion authorizing the execution of a construction contact with M.A. Smith Contracting Co Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

12. Authorize negotiation and execution of a Job Order Assignment with WARDEN CONSTRUCTION CORPORATION, one of the City's Facilities Improvement Job Order Contractors, for the construction of Morris-Williams Maintenance Barn project for a total amount not-to-exceed \$700,000. (Notes: This 2013 Job Order 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 8.20% MBE and 3.10% WBE participation.)

The motion authorizing the negotiation and execution of a job order assignment with Warden Construction Corporation was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

13. Authorize negotiation and execution of an amendment to the professional services agreement with CDM SMITH, INC., for design and bid phase services for the North Austin Reservoir and Pump Station Improvements project in the amount of \$2,887,236, using existing funds and authorizing an additional \$700,000 for a total contract amount not to exceed \$3,700,000. (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 5.5% MBE and 20.13% WBE participation to date.)

The motion authorizing the negotiation and execution of an amendment to the professional services agreement with CDM Smith, Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

14. Authorize negotiation and execution of an amendment to the professional services agreement with LOCKWOOD, ANDREWS and NEWNAM, INC., for engineering construction phase services for the Spicewood Springs Pump Station Improvements project in the amount of \$202,176, using existing funds and authorizing an additional \$89,165, for a total contract amount not to exceed \$1,704,724. (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 18.85% MBE and 4.34% WBE participation to date.)

The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Lockwood, Andrews and Newnam, Inc. was approved on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

15. Authorize execution of a construction contract with D.I.J. CONSTRUCTION, INC, for the Long Line Striping Indefinite Delivery/Indefinite Quantity Contract for installation of new striping after street resurfacing and for maintenance of existing lane striping, for an initial amount of \$1,065,000 for a term of 12 months, with one 12 month extension option of \$1,465,000, for a total contract amount not to exceed \$2,530,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of good faith efforts.)
The motion authorizing execution of a construction contract with D.I.J. Construction, Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
16. Authorize ratification of an amendment to the professional services agreement with NADAAA, INC., for additional design services for the Seaholm Substation Wall Project in an amount not to exceed \$18,700, using existing funds and authorizing an additional \$18,482.81, for a total contract amount not to exceed \$495,324.29. (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 17.83% MBE and 29.76% WBE participation to date.)
The motion authorizing the ratification of an amendment to the professional services agreement with NADAAA, Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 8-2 vote. Those voting aye: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman. Council Member Houston abstained.
17. Authorize execution of change order #2 to the construction contract with INSITUFORM TECHNOLOGIES, LLC for the Rehabilitation of Wastewater Lines Through Trenchless Process – EPA SAAP Grant project in the amount \$508,888.43, using existing funds and authorizing an additional \$427,146.81, plus an additional contingency of \$50,888.85, for a total contract amount not to exceed \$5,167,239.28. (Notes: This contract was awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goal with 10.82% DBE participation to date.)
The motion authorizing the execution of change order number two to the construction contract with Insituform Technologies, LLC was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
18. Authorize negotiation and execution of an amendment to the professional services agreement with LAKE|FLATO ARCHITECTS INC./SHEPLEY BULFINCH RICHARDSON AND ABBOTT INCORPORATED, A JOINT VENTURE for architectural services for the New Central Library in the amount of \$1,327,289, using existing funds and authorizing an additional \$1,300,000, for a total contract amount not to exceed \$12,154,700. (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 12.33% MBE and 9.04% WBE participation to date.)
The motion authorizing the negotiation and execution of an amendment to the professional services agreement with Lake|Flato Architects Inc/Shepley Bulfinch Richardson and Abbott Incorporated was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-2 vote. Those voting aye: Mayor Adler, Mayor Pro Tem

Tovo, Council Members Casar, Gallo, Garza, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman.

19. Authorize negotiation and execution of amendments 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 and the Austin Strategic Mobility Plan project in the amount of \$1,065,215.40, for a total contract amount not to exceed \$3,712,462.60. (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 10.45% MBE and 8.04% WBE participation to date.)
The motion authorizing the negotiation and execution of amendments to the professional services agreement with Opticos Design, Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

Item 20 was pulled for discussion.

21. Approve second and third reading of an ordinance approving a site plan for the project at 9512 FM 2222 (SP-2012-00189C); superseding conflicting requirements of the City Code; waiving site plan related fees and waiving City Code Section 25-1-502.
Ordinance No. 20160623-021 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
22. Approve an ordinance creating a Media Production Development Zone pursuant to chapter 485A of the Texas Government Code.
Ordinance No. 20160623-022 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-1 vote. Council Member Zimmerman voted nay.
23. Approve an ordinance nominating the location known as 7620 Guadalupe Street, Austin, TX 78752 owned by Certain Affinity, as a Media Production Development location pursuant to chapter 485A of the Texas Government Code; and authorize the City Manager to execute and submit an application for exemption to the Texas Film Commission.
Ordinance No. 20160623-023 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-1 vote. Council Member Zimmerman voted nay.
24. Approve negotiation and execution of an interlocal agreement with Texas A & M University, through the Texas A & M Engineering Extension Service, to provide paramedic classes to sworn personnel in the Emergency Medical Services Department for a 12-month term in order to provide growth opportunities and fill critical positions in the Emergency Medical Services Department in an amount not to exceed \$50,000.
The motion approving the negotiation and execution of an interlocal agreement with Texas A&M University was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
25. Approve a resolution ratifying an amendment to the Meet & Confer Agreement with the Austin-Travis County EMS Employees Association that was ratified by the Austin City Council on September 26, 2013 and became effective on October 1, 2013.
Resolution No. 20160623-025 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

26. Approve a resolution authorizing the issuance by Moore's Crossing Municipal Utility District of Unlimited Tax Bonds, Series 2016, in an amount not to exceed \$4,325,000.
Resolution No. 20160623-026 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
27. Approve negotiation and execution of Amendment No. 1 with Austin Travis County Mental Health Mental Retardation Center dba Austin Travis County Integral Care to combine two existing contracts that provide services for permanent supportive housing clients.
The motion approving the negotiation and execution of amendment number one with Austin Travis County Mental Health Retardation Center doing business as Austin Travis County Integral Care was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
28. Approve negotiation and execution of Amendment No. 2 to the agreement with CARITAS OF AUSTIN to increase funding for flood disaster financial assistance activities, with one-time funding in an amount not to exceed \$65,000.
The motion approving the negotiation and execution of amendment number two to the agreement with Caritas of Austin was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
29. Approve negotiation and execution of Amendment No. 13 with AIDS SERVICES OF AUSTIN, INC. to increase funding for HIV services under the Ryan White Part A HIV Emergency Relief Program in an amount not to exceed \$85,338.
This item was withdrawn on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
30. Authorize negotiation and execution of an interlocal agreement with Austin Community College, Center for Public Policy and Political Studies, for a student internship program.
The motion authorizing the negotiation and execution of an interlocal agreement with Austin Community College was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
31. Approve an ordinance authorizing acceptance of \$286,188 in grant funds from the Corporation for National and Community Service; and amending the Fiscal Year 2015-2016 Human Resources Department Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to appropriate these funds to implement the AmeriCorps VISTA Program.
Ordinance No. 20160623-031 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
32. Authorize negotiation and execution of a legal services contract with the law firm of Lloyd Gosselink Rochelle and Townsend, P.C. to advise and represent the City during its participation in the ratemaking proceeding filed by Texas Gas Service, in an amount not to exceed \$175,000. Related to Item #60.
The motion authorizing the negotiation and execution of a legal services contract with Lloyd Gosselink Rochelle and Townsend, P.C. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-1 vote. Council Member Troxclair voted nay.

33. Approve execution of an interlocal agreement with Travis County for the creation of a Local Government Corporation to manage and operate a planned sobriety center.
The motion approving the execution of an interlocal agreement with Travis County was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-1 vote. Council Member Zimmerman voted nay.
34. Approve a resolution consenting to the issuance by Public Finance Authority, a political subdivision of the State of Wisconsin, of multi-family housing revenue bonds in an amount up to \$45,000,000, which will be used to acquire and rehabilitate the Oak Hollow Apartments, located at 7201 Wood Hollow Drive (District 10).
Resolution No. 20160623-034 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained.
35. Approve an ordinance vacating an approximately 0.2193 acre portion of unconstructed right-of-way dedicated by plat in Volume 90, Pages 4-7, Plat Records of Travis County, and a 1.902 acre portion of unconstructed right-of-way dedicated by instrument recorded in Volume 3513, page 459, Deed Records of Travis County, collectively known as Camino Largo Road.
Ordinance No. 20160623-035 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
36. Approve an ordinance amending Ordinance No. 20150908-003, the Fiscal Year 2015-2016 Fees, Fines, and Other Charges to be set or charged by the City, to reduce swimming pool fees for residents of Austin who are Honorably Discharged Veterans or Veterans with a Department of Veterans Affairs Disability Rating of 10% or greater.
Ordinance No. 20160623-036 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
37. Authorize negotiation and execution of an agreement with the Austin Metro Baseball League for parkland use at Downs-Mabson Fields located at 2816 East 12th Street (District 1).
The motion authorizing the negotiation and execution of an agreement with Austin Metro Baseball League was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
38. Authorize negotiation and execution of an agreement between the City and Huston-Tillotson University for parkland use at Downs-Mabson Fields located at 2816 East 12th Street (District 1).
The motion authorizing the negotiation and execution of an agreement between the City and Huston-Tillotson University was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
39. Approve an ordinance amending the Fiscal Year 2015-2016 Parks and Recreation Department Capital Budget (Ordinance No. 20150908-002) to increase appropriations by \$480,650 from both parkland dedication and mitigation funds to establish Velasquez Park.
Ordinance No. 20160623-039 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
40. Approve an ordinance amending Ordinance No. 20090827-078, to correct a reference to the zoning for the property located at 4701, 4701-1/2, and 4703 Burnet Road.

Ordinance No. 20160623-040 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

41. Approve a resolution authorizing the application for \$430,685 in grant funding from the Texas Automobile Burglary and Theft Prevention Authority to implement the Austin Police Department project entitled The APD Auto Burglary and Theft Interdiction Project.
Ordinance No. 20160623-041 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

42. Authorize negotiation and execution of an interlocal agreement with Williamson County, Texas for the design and construction of Williamson County's Lakeline Boulevard right turn lanes project and approve an ordinance waiving fees and mitigation costs for the development and construction of the Lakeline Boulevard right turn lanes project in an amount not to exceed \$45,000.00. (District 6).

The motion authorizing the negotiation and execution of an interlocal agreement with Williamson County was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

43. Authorize award and execution of a 36-month contract with PRINTMAILPRO.COM DBA PRINTMPRO, LTD to provide collection notice, printing and processing services in an amount not to exceed \$309,000, with three 12-month extension options in an amount not to exceed \$103,000 per extension option, for a total contract amount not to exceed \$618,000. (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 insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)
The motion authorizing the award and execution of a contract with Printmailpro.com doing business as Printmp, Ltd was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

44. Authorize negotiation and execution of a 36-month contract with EMANCIPET INC. to provide heartworm treatment and services for shelter dogs in an amount not to exceed \$300,000. (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 procurement, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing the negotiation and execution of a contract with Emancipet Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

45. Authorize award and execution of a 36-month contract with GG'S CONSTRUCTION, LLC (MDB) to provide pressure washing services in an amount not to exceed \$705,000, with three 12-month extension options in an amount not to exceed \$235,000 per extension option, for a total contract amount not to exceed \$1,410,000. (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 insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing the award and execution of a contract with GG's Construction, LLC was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

46. Authorize negotiation and execution of two contracts through the HOUSTON-GALVESTON AREA COUNCIL cooperative purchasing program for vehicles with NATIONAL BUS SALES & LEASING INC. in an amount not to exceed \$834,150 and with SANTEX TRUCK CENTER LTD in an amount not to exceed \$94,028, for total, combined amount not to exceed \$928,178. (Notes: The contracts were reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for these contracts, there were no certified M/WBEs, therefore, no subcontracting goals were established.)

The motion authorizing the negotiation and execution of two contracts through the Houston-Galveston Area Council cooperative purchasing program with National Bus Sales & Leasing Inc. and Santex Truck Center Ltd was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.

47. Authorize negotiation and execution of a contract through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE program for the purchase of vehicles with SILSBEE FORD, INC. in an amount not to exceed \$172,280. (Notes: This 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 required for this contract, there were no subcontracting opportunities and no certified M/WBEs, therefore, no subcontracting goals were established.)

The motion authorizing the negotiation and execution of a contract through the Texas Local Government Purchasing Cooperative program with Silsbee Ford, Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

48. Authorize negotiation and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE cooperative purchasing program with AMERICAN MATERIAL HANDLING INC. for an industrial crane in an amount not to exceed \$102,774. (Notes: This 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 good required for this contract, there were no subcontracting opportunities and an insufficient number of certified M/WBEs, therefore, no subcontracting goals were established.)

The motion authorizing the negotiation and execution of a contract through the Texas Multiple Award Schedule with American Material Handling Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.

49. Authorize negotiation and execution of a contract through the TARRANT COUNTY cooperative purchasing program for the purchase of trucks with GRAPEVINE DODGE CHRYSLER JEEP, LLC in an amount not to exceed \$83,906. (Notes: This 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 required for this contract, there no subcontracting opportunities and no certified M/WBEs; therefore, no subcontracting goals were established.)

The motion authorizing the negotiation and execution of a contract through the Tarrant County Cooperative purchasing program with Grapevine Dodge Chrysler Jeep, LLC was

approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

50. Authorize negotiation and execution of a 36-month contract with PECAN STREET INC., to provide residential solar and energy storage implementation services, in an amount not to exceed \$900,000. (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.)
The motion authorizing the negotiation and execution of a contract with Pecan Street Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-2 vote. Council Member Troxclair and Zimmerman voted nay.
51. Authorize an amendment to the contract with UNGERBOECK SYSTEMS INTERNATIONAL, INC. for event booking software and system services for an increase of \$95,877 for the first extension option, and to increase the remaining four extension options in an amount not to exceed \$28,177 per extension option, for a revised total contract amount not to exceed \$1,408,585. (Notes: This contract was awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this contract.)
The motion authorizing an amendment to the contract with Ungerboeck Systems International, Inc. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 8-2 vote. Council Members Troxclair and Zimmerman voted nay. Council Member Houston abstained.
52. Authorize award and execution of a 36-month contract with LONE STAR PRODUCTS & EQUIPMENT, LLC. to provide Troy products, parts and accessories in an amount not to exceed \$818,025, with three 12-month extension options in an amount not to exceed \$272,675 per extension option, for a total contract amount not to exceed \$1,636,050. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)
The motion authorizing the award and execution of a contract with Lone Star Products & Equipment, LLC. was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
53. Authorize negotiation and execution of a 12-month contract with ZOLL DATA SYSTEMS to provide software licenses, maintenance, and support of the RescueNet Electronic Patient Care Report and Billing Solutions for the Austin Travis County Emergency Medical Services in an amount not to exceed \$89,168, with four 12 month extension options in an amount not to exceed \$89,168 for each extension option, for a total contract amount not to exceed \$445,840. (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.)
The motion authorizing the negotiation and execution of a contract with Zoll Data Systems was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.
54. Authorize an amendment to the contract with XEROX CORPORATION for the lease, installation and maintenance of multifunction devices and managed services, for an increase of \$1,731,406, and to increase funding to the 60-month extension option in an amount not to exceed \$3,083,352, for a revised total contract amount not to exceed \$28,693,940. (Notes: This contract was awarded

in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this contract.)

The motion authorizing an amendment to the contract with Xerox Corporation was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

55. Authorize award and execution of nine 12-month contracts to provide electrical supplies with KBS ELECTRICAL DISTRIBUTORS in an amount not to exceed \$121,648, with four 12-month extension options in an amount not to exceed \$121,648 per extension option, for a total contract amount not to exceed \$608,240 each and combined; with TECHLINE INC., consistent with the City's authority under state statute to consider a bidder's local presence with awarding contracts, in an amount not to exceed \$92,722, with four 12-month extension options in an amount not to exceed \$92,722 per extension option, for a total contract amount not to exceed \$463,610 each and combined; with STUART C. IRBY in an amount not to exceed \$47,640, with four 12-month extension options in an amount not to exceed \$47,640 per extension option, for a total contract amount not to exceed \$238,200 each and combined; with POWER SUPPLY INC. in an amount not to exceed \$31,770, with four 12-month extension options in an amount not to exceed \$31,770 per extension option, for a total contract amount not to exceed \$158,850 each and combined; with GRAYBAR ELECTRIC in an amount not to exceed \$27,496, with four 12-month extension options in an amount not to exceed \$27,496 per extension option, for a total contract amount not to exceed \$137,480 each and combined; with PRIESTER-MELL & NICHOLSON in an amount not to exceed \$22,590, with four 12-month extension options in an amount not to exceed \$22,590 per extension option, for a total contract amount not to exceed \$112,950 each and combined; with J.L. MATTHEWS in an amount not to exceed \$8,671, with four 12-month extension options in an amount not to exceed \$8,671 per extension option, for a total contract amount not to exceed \$43,355 each and combined; with ACE 1 POWER in an amount not to exceed \$5,481, with four 12-month extension options in an amount not to exceed \$5,481 per extension option, for a total contract amount not to exceed \$27,405 each and combined; and with TAPE SOLUTIONS (WBE) in an amount not to exceed \$562, with four 12-month extension options in an amount not to exceed \$562 per extension option, for a total contract amount not to exceed \$2,810 each and combined; the annual amount for all electrical supplies required under these contracts will be for a total amount not to exceed \$358,580 each and combined. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.) (June 20, 2016 – Recommended by the Electric Utility Commission on a vote of 8-0, with Commissioners Mahmood, Norris, and Stout absent.)

The motion authorizing the award and execution of contracts with KBS Electrical Distributors, Techline Inc., Stuart C. Irby, Power Supply Inc., Graybar Electric, Priester-Mell & Nicholson, J.L Matthews, Ace 1 Power, and Tape Solutions was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Zimmerman abstained.

Items 56 through 58 were pulled for discussion.

59. Authorize negotiation and execution of a contract with HAGERTY CONSULTING, INC., or one of the other qualified offerors to Request for Proposals TVN0059, for disaster recovery and financial management support consulting in an amount not to exceed \$120,000. (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 insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

This item was withdrawn on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

60. Approve an ordinance suspending a rate increase proposed by the Texas Gas Service. Related to Item # 32.
Ordinance No. 20160623-060 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.
61. Approve issuance of a street event permit under City Code Chapter 14-8 for the 11th Annual Bat Fest, a fee-paid event in the 100 to the 300 block of the Ann Richards Bridge / Congress Avenue Bridge between Cesar Chavez Street and Barton Springs Road to be held on Saturday, August 20, 2016.
The motion approving the issuance of a street event permit for the 11th Annual Bat Fest was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
62. Approve issuance of a street closure permit under City Code Chapter 14-8 for 2nd Street District's White Linen Night, a fee-paid event in the 200 block of West 3rd Street, which will be held on Saturday, August 6, 2016 from 10:00 a.m. to 11:59 p.m. (District 9).
The motion approving the issuance of a street event permit for the 2nd Street District's White Linen Night was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
63. Approve an ordinance on third reading to grant a taxicab franchise to ATX Coop Taxi.
Ordinance No. 20160623-063 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
64. Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for local participation in the Slaughter Lane / Manchaca Road Safety and Mobility Improvement Project.
Resolution No. 20160623-064 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Items 65 & 66 were pulled for discussion.

67. Approve an ordinance amending City Code Section 12-4-64(D) to modify existing speed zones on segments of East Martin Luther King Jr. Boulevard.
Ordinance No. 20160623-067 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.
68. Approve a resolution authorizing the negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation to document the State's in-kind participation in Safety Improvement Projects at four intersections: Lamar Boulevard/Parmer Lane, Lamar Boulevard/Rundberg Lane, 183 Service Road/Cameron Road, and IH 35 Service Road/Martin Luther King Jr. Boulevard. These projects are located in Districts 1, 4, and 7.
Resolution No. 20160623-068 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

69. Authorize negotiation and execution of a 36-month interlocal agreement with THE LOWER COLORADO RIVER AUTHORITY for water pollutant analysis services in an amount not to exceed \$810,000, with three 12-month extension options in an amount not to exceed \$270,000 per extension option, for a total amount not to exceed \$1,620,000.

The motion authorizing the negotiation and execution of an interlocal agreement with The Lower Colorado River Authority was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Item 70 was pulled for discussion.

71. Approve an ordinance waiving or reimbursing certain fees, waiving certain requirements, and authorizing payment of certain costs for the City co-sponsored Austin Symphony July 4th Concert and Fireworks event which will be held on July 4, 2016 at Auditorium Shores. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Sabino "Pio" Renteria CO 2: Council Member Leslie Pool CO 3: Mayor Steve Adler CO 4: Council Member Sheri Gallo)

Ordinance No. 20160623-071 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Troxclair abstained.

72. Approve an ordinance waiving or reimbursing certain fees for the Annual Garden Party sponsored by the Umlauf Sculpture Garden and Museum which took place on Thursday, April 28, 2016 at the Umlauf Sculpture Garden and Museum. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Mayor Steve Adler CO 2: Council Member Leslie Pool CO 3: Council Member Sabino "Pio" Renteria)

Ordinance No. 20160623-072 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Troxclair abstained.

Items 73 through 76 were pulled for discussion.

77. Approve an ordinance waiving or reimbursing certain fees and requirements for the Sobriety Fest ATX 2016 event sponsored by A New Entry which is to be held Saturday, June 25, 2016 at the Parque Zaragoza Recreation Center. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Gregorio Casar CO 2: Council Member Delia Garza CO 3: Council Member Ann Kitchen)

Ordinance No. 20160623-077 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.

78. Approve a resolution designating July 11 through July 15, 2016 as National Disability Voter Registration Week in Austin, Texas. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Ann Kitchen CO 2: Council Member Delia Garza CO 3: Council Member Leslie Pool CO 4: Council Member Sabino "Pio" Renteria)

Resolution No. 20160623-078 was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Items 79 & 80 were pulled for discussion.

81. Authorize payment or reimbursement of certain costs under City Code Chapter 14-8 for the North Shoal Creek Neighborhood July 4th Independence Day Parade and Celebration sponsored by the

North Shoal Creek Neighborhood Association which will be held on Monday, July 4, 2016 on the streets surrounding Pillow School. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Council Member Delia Garza CO 2: Mayor Pro Tem Kathie Tovo CO 3: Council Member Gregorio Casar CO 4: Council Member Ora Houston)

The motion authorizing the payment or reimbursement of certain costs under City Code Chapter 14-8 for the North Shoal Creek Neighborhood July 4th Independence Day Parade and Celebration was approved on consent on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Troxclair abstained.

Items 82 & 83 were pulled for discussion.

84. Set a public hearing to consider an ordinance amending City Code Chapter 15-2 relating to the drainage utility. (Suggested date and time: August 4, 2016, 4:00p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for August 4, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Mayor Pro Tem Tovo's second on an 11-0 vote.

Items 85 and 89 were referred from Council Committees.

Item 90 was a Public Hearing (Closed).

Items 91 and 92 were Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action).

Item 93 through 96 were Executive Session Items.

Item 97 was the Austin Housing and Finance Corporation Meeting set for 3:00 p.m.

Items 98 and 102 were public hearing items set for 4:00 p.m.

Item 103 was a public hearing set for 6:00 p.m.

DISCUSSION ITEMS

2. Approve an ordinance repealing and replacing city code sections 3-1-25 and 3-1-26 relating to the reclamation of an impounded animal and the disposition of an unclaimed impounded animal and making conforming changes to a city code section 3-2-32.

A motion to approve the ordinance was made by Council Member Gallo and seconded by Council Member Pool.

A motion to refer the item to the Public Safety Commission failed on Council Member Zimmerman's motion, Council Member Houston's second on a 3-8 vote. Those voting aye were: Council Members Houston, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Kitchen, Pool and Renteria.

Ordinance No. 20160623-002 was approved on Council Member Gallo's motion, Council Member Pool's second on a 10-0 vote. Council Member Houston abstained.

20. Approve an ordinance amending City Code Chapter 2-2 relating to campaign finance reporting and disclosure requirements associated with direct campaign expenditures; and creating an offense.

Ordinance No. 20160623-020 was approved as amended below on Mayor Adler's motion, Council Member Houston'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 following amendments were made:

To revise Part 3 (B)(1) to read:

- (1) Costs, or is part of a series of communications that in the aggregate cost, \$500 or more;**

To revise Part 3 (E) to read:

(E) SEGREGATED BANK ACCOUNT means a bank account maintained by a person who makes one or more direct campaign expenditures or covered transfers, consisting of funds that were paid directly to such account by persons other than the person that controls the account, used by that person to make direct campaign expenditures or covered transfers. A person who pays for direct campaign expenditures or covered transfers exclusively from a segregated bank account must only report information regarding contributions made to that account under Sections 2-2-32 (*Reporting of Direct Campaign Expenditures*), 2-2-33 (*Disclosure Statement Required*), and 2-2-34 (*Reporting of Covered Transfers*).

To revise Part 4 (A) to read:

- (A) A person who makes one or more direct campaign expenditures in a City election that in the aggregate meet or exceed \$500, shall report:**

To revise Part 4 (A)(8) to read:

(8) except as provided in subsection (A)(8)(c), if the person making the expenditure has accepted a contribution from another person during the current election reporting cycle:

(a) in the case of an expenditure exclusively paid for by funds contained in a segregated bank account, for each contributor to the account who made contributions in an aggregate amount of \$500 or more during the current election reporting cycle that have not previously been reported under this subsection:

- (i) the full name and address of the contributor;**
(ii) if the contributor is an individual, the individual's occupation and employer; and
(iii) the date and amount of each contribution received; or

(b) in the case of an expenditure paid for by funds other than funds contained in a segregated bank account, for each contributor who made contributions in an aggregate amount of \$500 or more during the current election reporting cycle that have not previously been reported under this subsection:

- (i) the full name and address of the contributor;**
(ii) if the contributor is an individual, the individual's occupation and employer; and
(iii) the date and amount of each contribution received.

(c) A person is not required to report a contribution under subsections (A)(8)(a) or (A)(8)(b) if:

- (i) the contributor specified in writing that the contribution was not to be used for political contributions or direct campaign expenditures at the time that the contribution was made to the person making the expenditure, and the person making the expenditure did not use the contribution for political contributions or direct campaign expenditures;
- (ii) the person making the expenditure received the contribution in a commercial transaction in the ordinary course of any trade or business conducted by the person; or
- (iii) the person making the expenditure received the contribution from investments made by the person.

To revise Part 5 (A) (B) and (C) to read:

(A) Except as provided by subsections (C) and (D), in addition to any other disclosure statement required by law, a person making the expenditure for a political advertisement, electioneering communication, or express advocacy, paid for in whole or in part by a direct campaign expenditure, using funds other than funds in a segregated bank account must conspicuously disclose on the communication the names of the five largest contributors who have each made contributions in an aggregate amount of \$500 or more [donors in the preceding 12 months] to the person making the direct campaign expenditure during the current election reporting cycle.

(B) Except as provided by subsections (C) and (D), in addition to any other disclosure statement required by law, a person making the expenditure for a political advertisement, electioneering communication, or express advocacy, paid for in whole or in part by a direct campaign expenditure, using exclusively funds in a segregated bank account must conspicuously disclose on the communication the names of the five largest contributors to the account who have each made contributions in an aggregate amount of \$500 or more to the person making the direct campaign expenditure during the current election reporting cycle.

(C) A contributor's name is not subject to disclosure under this section if:

- (1) the contributor specified that the contribution was not to be used for political contributions or direct campaign expenditures at the time that the contributor made the contribution to the person making the expenditure, and the person making the expenditure did not use the contribution for political contributions or direct campaign expenditures;
- (2) the person making the expenditure received the contribution in a commercial transaction in the ordinary course of any trade or business conducted by the person; or
- (3) the person making the expenditure received contribution from investments made by the person.

To revise Part 6 (B) to read:

(B) The term "covered transfer" does not mean:

- (1) a contribution made by a person if that person prohibited, in writing, the use of that contribution for political contributions, direct campaign expenditures, or covered transfers, and if the person receiving the contribution did not use the contribution for political contributions, direct campaign expenditures, or covered transfers;

- (2) a contribution made by a person in a commercial transaction in the ordinary course of any trade or business conducted by that person;
- (3) a contribution made by a person in the form of an investment made by that person; or
- (4) a contribution made by a person who has not received a contribution from another person during the current election reporting cycle.

To revise Part 6 (C) to read:

(C) A person who makes one or more covered transfers in a City election that in the aggregate meet or exceed \$500 shall report:

To revise Part 6 (C)(8) to read:

(8) except as provided in subsection (C)(8)(c), when the person making the transfer has accepted a contribution from another person during the current election reporting cycle:

(a) in the case of a transfer exclusively paid for by funds contained in a segregated bank account, for each contributor to the account who made contributions in an aggregate amount of \$500 or more during the current election reporting cycle that have not previously been reported under this subsection:

- (i) the full name and address of the contributor;
- (ii) if the contributor is an individual, the individual's occupation and employer; and
- (iii) the date and amount of each contribution received; or

(b) in the case of a transfer paid for by funds other than funds contained in a segregated bank account, for each contributor who made contributions in an aggregate amount of \$500 or more during the current election reporting cycle that have not previously been reported under this subsection:

- (i) the full name and address of the contributor;
- (ii) if the contributor is an individual, the individual's occupation and employer; and
- (iii) the date and amount of each contribution received.

(c) A person is not required to report a contribution under subsections (C)(8)(a) or (C)(8)(b) if:

- (i) the contributor specified in writing that the contribution was not to be used for political contributions, direct campaign expenditures, or covered transfers at the time that the contribution was made to the person making the transfer, and the person making the transfer did not use the contribution for political contributions, direct campaign expenditures, or covered transfers;
- (ii) the person making the transfer received the contribution in a commercial transaction in the ordinary course of any trade or business conducted by the person; or
- (iii) the person making the transfer received the contribution from investments made by the person.

To revise Part 6 (H) to read:

(H) It is an affirmative defense to prosecution pursuant to section 2-2-34(C) that the person who makes the transfer:

- (1) prohibits, in writing, the use of that transfer for political contributions, direct campaign expenditures, or covered transfers if the person receiving

the contribution did not use the contribution for political contributions, direct campaign expenditures, or covered transfers;
(2) makes the transfer in a commercial transaction in the ordinary course of any trade or business conducted by that person;
(3) is making an investment; or
(4) has not received a contribution from another person during the current election reporting cycle.

91. C14-86-120(RCT) – Burnet Road RCT - District 7 - Conduct a public hearing to terminate a public restrictive covenant on a property locally known as 8315 Burnet Road (Shoal Creek Watershed). Staff Recommendation: To grant the restrictive covenant termination. Planning Commission Recommendation: To grant restrictive covenant termination. Owner/Applicant: 4222 S IH-35, Ltd. (Jimbo Cotton). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 512-974-3057.

The motion to close the public hearing and grant the restrictive covenant termination was approved on Council Member Pool's motion, Council Member Zimmerman's second on an 8-0 vote. Mayor Adler, Council Members Garza and Kitchen were off the dais.

CITIZENS COMMUNICATIONS: GENERAL

David Engle - Code Dept. – **Not Present.**

Pinaki Ghosh - TARA and lack of telecom policy. – **Not Present.**

Kari Engle - Code Dept.

Steve Simmons - Code Dept. being moved back to development

CAROLANNEROSE KENNEDY- KINDERGARTEN COWBOY COMMUNICATION COLLEGE SKILLS CLASS 101. – **Not Present.**

Frank Harren - Affordability issues.

Paul Robbins - City and Budget issues.

Deborah Pardo-Kaplan - In support of the renovation of the Old Quarry library branch.

Jesus Mares - Traffic Problem in Austin.

Jeffrey Williams - Pet friendly Austin. – **Not Present**

Mayor Pro Tem Tovo recessed the Council Meeting to go into Executive Session at 12:26 p.m.

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.

93. 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.
94. Evaluate the performance of, and consider compensation and benefits for the City Manager, the City Clerk, the City Auditor, and the Clerk of the Municipal Court (Personnel matters - Section 551.074 of the Government Code).
95. Discuss legal issues related to the proposed Amendment to the 2013-2017 Meet and Confer Agreement with Austin-Travis County EMS Employees Association (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn without objection.
96. Discuss legal issues related to a general obligation bond election (Private consultation with legal counsel - Section 551.071 of the Government Code).

Mayor Adler reconvened the meeting at 3:57 p.m.

DISCUSSION ITEMS CONTINUED

Items 85 and 86 were acted on in a combined motion.

85. Approve an ordinance amending the Fiscal Year 2015-2016 Animal Services Office Capital Budget (Ordinance No. 20150908-002) to transfer in and appropriate \$385,000 in grant funds from the Animal Services Office Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) for the Animal Center Kennel Addition and Campus Infrastructure Improvements Project. Related to Item #86. (Notes: Animal Services Office)
Ordinance 20160623-085 was approved on Council Member Houston's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Kitchen was off the dais.
86. Authorize negotiation and execution of amendment #2 to the Design Build Agreement with SPAWGLASS CONTRACTORS, INC., for the Animal Center Kennel Additions and Campus Infrastructure Improvements project, for construction phase services in an amount of \$5,900,000, for a total contract amount not to exceed \$6,758,000. Related to Item #85. (Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority and Women Owned Business Enterprise Procurement Program) by meeting the goals with 26.09% MBE and 2.94% WBE participation to date. (Capital Contracting Office)
The motion authorizing the negotiation and execution of amendment number two to the design build agreement with Spawglass Contractors, Inc. was approved on a 10-0 vote. Council Member Kitchen was off the dais.
65. Approve a resolution supporting the City's application for the Advanced Transportation and Congestion Management Technologies Deployment Initiative sponsored by the U.S. Department of Transportation.
Resolution No. 20160623-065 was approved on Council Member Garza's motion, Council Member Pool's second on an 11-0 vote.
70. 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 waivers were approved on Council Member Gallo's motion, Council Member Garza's second on a 9-0 vote. Council Members Casar and Kitchen were off the dais.

Board/Nominee

Nominated by

Commission on Veterans Affairs
Adrenne Mendoza

Council Member Garza

Urban Transportation Commission
Michael Wilfley

Council Member Gallo

Waivers

There are no waivers at this time

Approval of Universal Changes to Bylaws for the following Boards:
Ethics Review Commission

87. Approve the appointment of Dr. Charles Bell to the Central Health Board. (Notes: Committee)
The motion approving the appointment of Dr. Charles Bell was approved on Council Member Houston's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was off the dais.

79. Approve a resolution relating to the procurement of a mobile, wheelchair-accessible public toilet facility, and directing the City Manager to identify funding and expedited procurement process for a permanent public toilet facility downtown. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Ora Houston CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Ann Kitchen CO 4: Mayor Steve Adler)
A motion was made to approve the item by Mayor Pro Tem Tovo and seconded by Council Member Houston.

A motion was made to strike the number of facilities from two to one by Council Member Zimmerman. The motion failed for a lack of a second.

Resolution No. 20160623-079 was approved on Mayor Pro Tem Tovo's motion, Council Member Houston's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman. Council Member Gallo abstained.

56. Authorize negotiation and execution of a 12-month contract through the GENERAL SERVICES ADMINISTRATION cooperative purchasing program with GENERAL SALES ADMINISTRATION, INC. DBA MAJOR POLICE SUPPLY to provide the Vigilant Solutions Automatic License Plate Recognition System in an amount not to exceed \$350,000, with five 12-month extension options in an amount not to exceed \$110,000 per extension option, for a total contract amount not to exceed \$900,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program through the achievement of good faith efforts.)
A motion to strike "and execution" from the contract was approved on Council Member Zimmerman's motion, Council Member Houston's second on a 7-4 vote. Those voting aye

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

The motion authorizing the negotiation of a contract through the General Services Administration Cooperative purchasing program with General Sales Administration, Inc. doing business as Major Police Supply was approved on Council Member Zimmerman's motion, Council Member Houston's second on an 11-0 vote.

Direction was given to staff to bring the contract back at the first meeting in August and provide Council with a copy of the privacy policy established by the Austin Police Department related to this item.

Mayor Adler recessed the Council Meeting at 5:36 p.m.

POETRY READING

Reading by Poet Christopher-Michael, in commemoration of the Charleston, South Carolina shooting victims.

Mayor Adler reconvened the meeting at 5:46 p.m.

57. Authorize negotiation and execution of a 60-month contract with TASER INTERNATIONAL, or one of the other qualified offerors to Request For Proposals EAD0124, to provide body worn cameras in an amount not to exceed \$9,428,236, with two 12-month extension options in an amount not to exceed \$1,225,179 for the first extension option, and \$1,547,811 for the second extension option, for a total contract amount not to exceed \$12,201,226. Related to Item #58. (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 and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)

A motion to postpone the item was made on Council Member Pool's motion, Council Member Zimmerman's second. The motion was later withdrawn.

A motion to approve the item was made by Council Member Pool and seconded by Council Member Renteria.

A motion to award the contract to Utility Associates was made by Council Member Zimmerman. The motion failed for lack of a second.

The motion authorizing negotiation and execution of a contract with Taser International 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 Houston abstained.

58. Authorize negotiation and execution of a 60-month contract through the TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative program with AT&T, for the purchase of smartphones and wireless phone services to enhance the functionality of body worn cameras in an amount not to exceed \$5,029,200. Related to Item #57. (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,

there were insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract through the Texas Department of Information Resources cooperative program with AT&T was approved on Council Member Casar's motion, Council Member Renteria's second on a 7-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Kitchen and Renteria. Those voting nay were: Council Members Houston, Pool and Zimmerman. Council Member Troxclair abstained.

92. C14-2015-0160 - Champions Tract #3 - District 10 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6409 City Park Road (West Bull Creek Watershed) from general office-conditional overlay (GO-CO) to general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Staff Recommendation: To grant general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning. Planning Commission Recommendation: To grant multifamily residence moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Owner/Applicant: Champion Assets LTD & Champion Legacy Partners LP. Agent: Armbrust & Brown, PLLC (Richard Suttle). City Staff: Victoria Haase, 512-974-7691.

The public hearing was held and a motion to keep the public hearing open and approve the ordinance on first reading only for multifamily residence moderate-high density-conditional overlay (MF-4-CO) combining district zoning with the following conditions was approved on Council Member Gallo's motion, Council Member Garza's second on an 11-0 vote.

The conditions were:

- **Height restricted to no more than 53 feet**
- **Daily vehicle trips limited to 2,100 per day**
- **Dwelling units are limited to no more than 325**
- **Development is prohibited within 100 feet of the southern property line**
- **Endorsements of staff recommendations for signal improvements identified in the TIA memo with additional improvements to the signal time at the intersection of West Courtyard and Loop 360 to not exceed \$5,000 of the cost**
- **Add a turn lane on City Park Road and RM 2222**

Direction to staff was given to include considering a mechanism to limit future development of the eastern tract of the site when brought for second and third reading on August 11, 2016.

Mayor Adler recessed the Council Meeting at 7:12 p.m.

Mayor Adler reconvened the meeting at 8:12 p.m.

66. Approve an ordinance amending City Code Chapter 13-2, Article 4 relating to TRANSPORTATION NETWORK SERVICES.

A motion to approve the item was made by Council Member Kitchen and seconded by Council Member Renteria.

A motion to amend the ordinance was approved on Mayor Pro Tem Tovo's motion, Council Member Renteria's second on a 6-3 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Mayor Adler, Council Members Gallo and Troxclair. Council Member Zimmerman abstained. Council Member Casar was off the dais.

The amendment was to add a new Part 5 (L) to read: “In addition to revocation or suspension under section 13-2-171 after February 1, 2017, a TNC that does not meet the benchmarks described in (B) for three consecutive months shall have its operating authority revoked.”

A friendly amendment to amend “Part 3 (I) to read “A TNC that fails to meet the requirements in subsection (B) or (G) may not participate...” was accepted without objection.

Ordinance No. 20160623-066 was approved as amended on Council Member Kitchen’s motion, Council Member Renteria’s second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Gallo, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman. Council Member Casar was off the dais.

73. Approve a resolution relating to the compensation and benefits for the City Clerk. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ora Houston CO 3: Council Member Gregorio Casar)

Resolution No. 20160623-073 was approved on Council Member Pool’s motion, Council Member Renteria’s second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was off the dais.

74. Approve a resolution relating to the compensation and benefits for the City Manager. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ora Houston CO 3: Council Member Gregorio Casar)

Resolution No. 20160623-074 was approved on Council Member Pool’s motion, Council Member Houston’s second on a 7-1 vote. Council Member Zimmerman voted nay. Council Members Gallo, Garza and Troxclair abstained.

75. Approve a resolution relating to the compensation and benefits for the City Auditor. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ora Houston CO 3: Council Member Gregorio Casar)

Resolution No. 20160623-075 was approved on Mayor Pro Tem Tovo’s motion, Council Member Garza’s second on an 11-0 vote.

76. Approve an ordinance relating to the compensation and benefits for the Municipal Court Clerk. (Notes: SPONSOR: Mayor Steve Adler CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Ora Houston CO 3: Council Member Gregorio Casar)

Ordinance No. 20160623-076 was approved on Council Member Houston’s motion, Council Member Renteria’s second on a 10-0 vote. Council Member Zimmerman abstained.

82. Approve a resolution directing the City Manager to require that all applications for demolition permits of buildings fifty years or older dedicated to civic uses have a hearing before the Historic Landmark Commission, and initiating a stakeholder and code amendment process to codify the requirement. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Delia Garza CO 2: Council Member Ora Houston CO 3: Council Member Sabino "Pio" Renteria CO 4: Council Member Leslie Pool)

A motion to approve the resolution was made by Mayor Pro Tem Tovo and seconded by Council Member Houston.

An amendment to revise the first BE IT RESOLVED clause failed on Council Member Gallo's motion, Council Member Zimmerman's second on a 3-8 vote. Those voting aye were: Council Members Gallo, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Garza, Houston, Kitchen, Pool and Renteria.

The amendment was:

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

The City Council directs the City Manager to immediately require that any application for a demolition permit of a building fifty years or older and dedicated to the following civic uses, administrative services, camp, cemetery, club or lodge, college and university facilities, community events, community recreation (private), community recreation (public), congregate living, convention center, cultural services, family home, military installations, parks and recreation services (general), parks and recreation services (special), postal facilities, private primary educational facilities, private secondary educational facilities, public primary educational facilities, public secondary educational facilities, religious assembly, safety services have a hearing before the Historic Landmark Commission."

Resolution No. 20160623-082 was approved on Mayor Pro Tem Tovo's motion, Council Member Houston'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.

Mayor Adler recessed the Council Meeting and called to order the June 23, 2016 Special Called Council Meeting at 8:57 p.m. See separate minutes.

Mayor Adler called the Council Meeting back to order at 9:26 p.m.

90. Approve second and third readings of an ordinance amending the Land Development Code (Title 25) and related provisions relating to site development standards for public primary and secondary educational facilities. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON JUNE 16, 2016)

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

A motion to amend the ordinance failed on Council Member Troxclair's motion, Council Member Zimmerman's second on a 3-7 vote. Those voting aye were: Council Members Gallo, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Houston, Kitchen, Pool and Renteria. Council Member Garza was off the dais.

The amendment was to have Part 8 read as follows:

"§25-8-366 IMPERVIOUS COVER RESTRICTIONS FOR EDUCATIONAL FACILITIES.

- (A) This section establishes impervious cover restrictions for development of a public primary or secondary educational facility and controls over the impervious cover limitations established under Chapter 25-2 (*Zoning*).

(B) In the zoning jurisdiction, maximum impervious cover for a public primary or secondary educational facility is established under Subchapter A (*Water Quality*) of this chapter based on the following land use categories:

- (1) Except as provided in Paragraphs (B)(2) or (B)(3), a public primary or secondary educational facility is treated as a commercial use;
- (2) Within a residential base zoning district established under Section 25-2-32 (*Zoning Districts and Map Codes*), a public primary or secondary educational facility is treated as:
 - a. A multi-family residential use, in an SF-6 or less restrictive base zoning district; or
 - b. A single-family residential use, in an SF-5 or more restrictive base zoning district; and
- (3) Within a water supply rural watershed, a public primary or secondary educational facility is treated as a commercial use regardless of the base zoning district.

(C) In the extraterritorial jurisdiction, maximum impervious cover for a public primary or secondary educational facility is established under Subchapter A (*Water Quality*) of this chapter and is treated as a commercial use.

(D) Notwithstanding Section 25-2-835 (*School District Development Agreements*), an independent school district may elect to utilize the impervious cover requirements established under this section.”

Ordinance No. 20160623-090 was approved on Council Member Houston’s motion, Council Member Pool’s second on a 7-1 vote. Council Member Troxclair voted nay. Council Members Gallo and Zimmerman abstained. Council Member Garza was off the dais.

PUBLIC HEARINGS

98. Conduct a public hearing and consider an ordinance regarding CenterPoint Energy's proposal to increase customer rates.

The public hearing was held and a motion to close the public hearing and approve Ordinance No. 20160623-098 was approved on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on a 10-0 vote. Council Member Zimmerman abstained.

100. Conduct a public hearing and approve a resolution to expand the Austin Downtown Public Improvement District by adding two parcels of land, at 202 Nueces Street (also referred to as 600 W. 2nd Street by the Travis Central Appraisal District) and 301 West Avenue, as requested by the property owners.

The public hearing was held and a motion to close the public hearing and approve Resolution No. 20160623-100 was approved on Mayor Pro Tem Tovo’s motion, Council Member Pool’s second on a 10-0 vote. Council Member Zimmerman abstained.

AFTER 10:00 P.M.

The motion to waive the rules and allow Council to meet after 10:00 p.m. was approved on Council Member Zimmerman’s motion, Council Member Pool’s second on a 9-1 vote. Council Member Gallo voted nay. Council Member Zimmerman abstained.

Mayor Adler recessed the Council Meeting at 11:54 p.m.

Mayor Adler reconvened the meeting at 12:14 a.m.

DISCUSSION ITEMS CONTINUED

83. Approve a resolution relating to a 2016 transportation bond program and other future bond programs. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Gregorio Casar CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool)
A motion to approve the resolution was made by Mayor Adler and seconded by Council Member Renteria.

A motion to approve a \$500 million dollar plan failed on Council Member Garza's motion, Mayor Pro Tem Tovo's second on a 4-7 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Garza, Houston and Kitchen. Those voting nay were: Mayor Adler, Council Members Casar, Gallo, Pool, Renteria, Troxclair and Zimmerman.

A motion to approve a \$500 million dollar plan and a \$720 million dollar plan failed on Council Member Kitchen's motion, Council Member Garza's second on a 4-5 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Garza, Kitchen and Zimmerman. Those voting nay were: Mayor Adler, Council Members Casar, Gallo, Pool and Renteria. Council Members Houston and Troxclair abstained.

A motion to approve a \$720 million dollar plan with the following amendment was approved on Council Member Gallo's motion, Council Member Zimmerman's second on a 6-5 vote. Those voting aye were: Council Members Gallo, Garza, Houston, Kitchen, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Pool and Renteria. The amendment was to add the following before the last Be It Resolved Clause:

BE IT FURTHER RESOLVED:

Funding for sidewalks included in Local Mobility Projects should be divided in half. With half of the funds going towards the implementation of Sidewalk Master Plan and the other half of the funds divided evenly between each Council District and it be spent on implementation of Safe Routes to Schools. City staff will work with Council offices, local school officials, and parent groups to adopt a Safe Routes to School plan which is appropriate for each individual school.

A motion was made to amend the resolution was made by Council Member Kitchen and seconded by Council Member Zimmerman. The motion was to amend the Be It Further Resolved Clause to read:

The City Manager is directed to develop recommended proposition language for council consideration by August 11, 2016 for placement on the November 2016 ballot requesting authority for the sale of \$720 Million in general obligation bonds comprised of \$250 Million of the City's \$500 Million of bond capacity under its existing debt tax rate, and an additional \$470 Million associated with an estimated debt tax rate increase of approximately 2.25 cents, which will be referred to as the "proposed November 2016 Mobility Bond Program," to fund the following mobility improvements:

- \$101 Million for Regional Mobility Projects to address congestion and enhance safety: representative projects may include improvements on Loop 360 corridor, Spicewood Springs Road, Oak Hill Parkway, Anderson Mill Road, the intersection of RM 620 and RM 2222, and Parmer Lane;**

- \$482 Million for a Corridor Improvement Program approved by City Council.
- \$137 Million for Local Mobility Projects, including \$85 Million for implementing of the Sidewalk and Urban Trails Master Plans, \$20 Million for implementation of the Bicycle Master Plan, \$15 Million for Top Crash Location Intersection Priorities Improvements lists, implementation of the Vision Zero Master Plan and \$17 Million for Sub-Standard Streets/Capital Renewal.

To add the following:

The City Manager is directed to recommend a Corridor Improvement Program, for purposes of establishing priorities for the use of bond funding for planning, design, engineering, and implementation of improvements to major corridors, including those that are identified on the Critical Arterial List and/or existing or future corridor plans, with priorities to address the following at a minimum:

- Historically underserved areas;
- Critical to address congestion;
- That provide opportunities to enhance existing and future transit options;
- Opportunities to preserve existing and future opportunities for affordable housing; and/or
- That enhance safety.

The City Manager shall propose a Corridor Improvement Program with priorities that address corridors throughout the city and balance needs across all parts of the city, with special attention to historically underfunded areas. The City Manager shall present a proposed Corridor Improvement Program to the City Council for review and approval prior to issuance of any bond funds authorized under the November 2016 Bond Proposal and annually thereafter prior to adoption of the annual Capital Improvement Program.

A substitute motion was made by Mayor Adler to amend the second bullet to read:

- \$482 Million for Corridor Improvement projects, including major arterials that are identified on the Critical Arterial Lists; that are critical to address congestion; that enhance opportunities for improved transit options; and/or that enhance safety; and at least \$60 Million for design, engineering, and implementation of additional South Austin corridor/critical arterial improvements such as Slaughter Lane, Brodie Lane, Manchaca, FM 1626, William Cannon and South Congress; and

The substitute motion was later withdrawn.

A substitute motion was approved on Mayor Adler's motion, Council Member Zimmerman's second on a 7-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Gallo, Pool, Renteria and Zimmerman. Those voting nay were: Council Members Kitchen and Troxclair. Council Members Garza and Houston abstained.

The revision was to include in the second bullet point of the first Be It Further Resolved clause, the following language: "and a corridor from South Austin such as Slaughter, Brodie Lane, Manchaca, RM 1626, William Cannon or South Congress."

Resolution No. 20160623-083 was approved as amended on Mayor Adler's motion, Council Member Renteria's second on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Pool, Renteria, Troxclair and Zimmerman. Those voting nay were: Council Members Garza, Kitchen and Houston.

101. Conduct a public hearing and consider an ordinance amending City Code Chapter 25-2 relating to site development regulations for the Festival Beach Subdistrict of the Waterfront Overlay.

The public hearing was held and a motion to close the public hearing and approve the ordinance with the following amendment was made by Council Member Renteria and seconded by Council Member Zimmerman.

The amendment was to revise Part 1, Section 25-2-735 (D) and to add a new (E) and (F) to read:

(D) For an area not included in a primary setback area or a secondary setback area, the maximum impervious cover is:

(1) 40 percent; or

(2) 70 percent, for a site that:

(a) contains congregate care and retail uses on 15 or more acres;

(b) is adjacent to 1.5 or more acres of parkland or publically accessible open space;

(c) includes, within the congregate care use, at least:

(i) 310 rental housing units that serve residents earning at or below 60% of area median family income;

(ii) 40 rental housing units that serve residents earning at or below 30% of area median family income; and

(iii) 100 rental housing units that serve residents which are either:

- Earning at or below 30% of the area median family income and receiving a rent subsidy; or**
- Earning at or below 50% of area median family income, without a rent subsidy, or with a rent subsidy that is required to be available under federal law to residents earning up to 50% of area median family income.**

(d) contains the following enhanced water quality features:

(i) water quality treatment utilizing green water quality controls sized at ½ inch or greater, based on assumed impervious cover of 68%;

(ii) at least 30,000 square feet of porous pavement for pedestrian areas;

(iii) at least 8,126 cubic feet of rainwater harvesting sufficient to capture 1.3 inches of runoff from 75,000 square feet of impervious cover; and

(iv) onsite water quality ponds sufficient to treat a minimum of 6,200 cubic feet of off-site drainage.

(E) For purposes of Subsection (D)(2) of this section, the term “rent subsidy” means a project-based voucher issued by, or under the auspices of, an agency of the United States Government that provides a rental subsidy to the landlord for a particular rental housing unit in an amount equal to or exceeding the difference between 30% of the resident’s income and the market rate for the residential housing unit.

(F) If an applicant elects to develop a site at greater than 40% impervious cover, as authorized under Subsection (D)(2) of this section, a restrictive covenant or other legal instrument approved by the director must be executed prior to site plan release in order to ensure that the conditions in Subsection (D)(2)(a)-(d) are binding on the site plan and enforceable by the City.

Ordinance No. 20160623-101 as amended was approved on Council Member Renteria's motion, Council Member Zimmerman's second on an 11-0 vote.

99. Conduct a public hearing and consider an ordinance repealing and replacing the Energy Code, Article 12 of City Code Chapter 25-12, to adopt the 2015 International Energy Conservation Code and local amendments.

The public hearing was held and a motion to close the public hearing and approve Ordinance 20160623-099 was approved on Council Member Pool's motion, Mayor Pro Tem Tovo's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.

Mayor Adler recessed the Council Meeting and called to order the June 23, 2016 Special Called Council Meeting at 2:18 a.m. See separate minutes.

Mayor Adler called the Council Meeting back to order at 2:20 a.m.

Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 2:21 a.m. See separate minutes.

Mayor Adler called the Council Meeting back to order at 2:28 a.m.

89. Approve a resolution authorizing the City Manager to secure the City of Austin's membership in the Biophilic Cities Network. (Notes: Sustainability Office)

Resolution 20160623-089 was approved on Council Member Pool's motion, Council Member Renteria's second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo and Council Members Casar, Garza, Houston, Kitchen, Pool and Renteria. Those voting nay were: Council Members Troxclair and Zimmerman. Council Member Gallo abstained.

102. Conduct a public hearing and consider an ordinance amending City Code Chapters 25-2, 25-8, and 30-5 relating to development regulations for boat docks and lake front development.

The public hearing was held and a motion to close the public hearing and approve the ordinance on first reading only was approved on Council Member Gallo's motion, Council Member Zimmerman's second on an 11-0 vote.

80. Approve a resolution directing the City Manager to create a Bond Election Advisory Task Force and present briefings on related issues in anticipation of a 2018 Bond process. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Leslie Pool CO 2: Council Member Delia Garza CO 3: Council Member Gregorio Casar)

This item was withdrawn without objection.

88. Approve a resolution relating to financing options for the development of mobility projects and potential future bonds. (Notes: Committee)

This item was withdrawn without objection.

103. Conduct a public hearing on the City's Draft Fiscal Year 2016-2017 Action Plan, as required by the U.S. Department of Housing and Urban Development, and Fiscal Year 2016-2017

Community Development Program, as required by Texas Local Government Code Chapter 373.

The public hearing was held and a motion to close the public hearing was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

Mayor Adler adjourned the meeting at 2:57 a.m. without objection.

The minutes were approved on this the 4th day of August 2016 on Council Member Zimmerman's motion, Council Member Pool's second on an 11-0 vote.