



## AUSTIN CITY COUNCIL

REGULAR MEETING MINUTES  
THURSDAY, AUGUST 18, 2016

**Invocation:** Pastor Jim Cassidy, South Austin Presbyterian Church

**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, August 18, 2016 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.**

**Mayor Adler called the Council Meeting to order at 10:26 a.m.**

**CONSENT AGENDA**

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

1. Approve the minutes of the Austin City Council budget work session of July 27, 2016, work session of August 9, 2016, budget work session of August 10, 2016 and regular meeting of August 11, 2016.  
**The minutes of the City Council budget work session of July 27, 2016, work session of August 9, 2016, budget work session of August 10, 2016 and regular meeting of August 11, 2016 were approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
2. Approve issuance of a rebate to Apple, Inc., for the installation of energy efficiency and demand response measures at its Riata Vista Phase IIB Campus and Central Plant located at 5401 and 5501 West Parmer Lane, in an amount not to exceed \$248,019. (District 6)  
**The motion approving issuance of a rebate to Apple, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-1 vote. Council Member Troxclair voted nay. Council Member Zimmerman abstained.**
3. Approve issuance of a rebate to Cascade Affordable Housing, for performing energy efficiency improvements at the Rosemont at Williamson Creek Apartments located at 4509 East St. Elmo Road, in an amount not to exceed \$79,612. (District 2)  
**The motion approving issuance of a rebate to Cascade Affordable Housing was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**
4. Approve issuance of a rebate to Texas Old Manor Housing, for performing energy efficiency improvements at the Primrose of Shadow Creek Apartments located at 1026 Clayton Lane, in an amount not to exceed \$152,657. (District 1)  
**The motion approving issuance of a rebate to Texas Old Manor Housing was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**

5. Approve issuance of a rebate to Texas Old Manor Housing, for performing energy efficiency improvements at the Rosemont at Hidden Creek Apartments located at 9345 U.S. Highway 290 East, in an amount not to exceed \$143,428. (District 1)  
**The motion approving issuance of a rebate to Texas Old Manor Housing was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**
6. Approve Service Extension Request No. 3800 for wastewater service to an 18.5 acre tract at 8702 South View Rd located within the Drinking Water Protection Zone, the City's 2-mile extra territorial jurisdiction and Austin Water's service area.  
**The motion approving the service extension request number 3800 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
7. Approve Service Extension Request No. 3823 for wastewater service to a 0.45 acre tract located at 8003 Texas Plume Rd within the Drinking Water Protection Zone, the City's limited purpose jurisdiction and Austin Water's service area. (District 10)  
**The motion approving the service extension request number 3823 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
8. Authorize the negotiation and execution of an agreement with Ardent Residential for the City to reimburse the developer for an amount not to exceed \$434,253 for costs associated with the design and construction of an oversized wastewater main and appurtenances related to Service Extension Request No. 3486R that will provide wastewater service to a proposed development located at 3607 S. Lamar Boulevard. (District 5)  
**The motion authorizing the negotiation and execution of an agreement with Ardent Residential was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**

**Item 9 was pulled for discussion.**

10. Authorize negotiation and execution of an interlocal agreement with Williamson County (County) for relocation and adjustments of existing water and wastewater lines and appurtenances in conflict with the County storm sewer improvement project in Forest North Anderson Mill Zone area in the amount of \$46,154.20 for professional engineering services and \$162,567.60 for construction plus a \$16,256.76 construction contingency for a total amount not to exceed \$224,978.56.  
**The motion authorizing negotiation and execution of an interlocal agreement with Williamson County was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
11. Authorize negotiation and execution of an amendment to the wastewater cost reimbursement agreement with Club Deal 120 Whisper Valley, L.P., for the design and construction of a phased wastewater treatment plant and wastewater interceptor to modify deadlines related to the phasing of the wastewater treatment plant and clarify developer responsibilities.  
**The motion authorizing negotiation and execution of an amendment to the wastewater cost reimbursement agreement was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Troxclair abstained.**

12. Authorize negotiation and execution of an agreement with Austin-Bergstrom Landhost Enterprises, Inc. (ABLE), Austin-Bergstrom Acquisition LLC (ABA), and UMB Bank, N.A. for the refinancing of ABLE's debt and the funding and performance of certain repairs to the Airport Hilton Hotel located at Austin-Bergstrom International Airport in an amount not to exceed \$3,000,000. (District 2)  
**The motion authorizing negotiation and execution of an agreement with Austin-Bergstrom Landhost Enterprises, Inc., Austin-Bergstrom Acquisition LLC, and UMB Bank, N.A. was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-1 vote. Council Member Zimmerman voted nay.**
13. Authorize negotiation and execution of an amendment to a reimbursement agreement with Austin-Bergstrom Landhost Enterprises, Inc. for atrium and heating, ventilating, and air conditioning system (HVAC) repairs to the Airport Hilton Hotel located at Austin-Bergstrom International Airport in an amount not to exceed \$3,000,000. (District 2)  
**The motion authorizing negotiation and execution of an amendment to a reimbursement agreement with Austin-Bergstrom Landhost Enterprises, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-1 vote. Council Member Zimmerman voted nay.**
14. Authorize negotiation and execution of a professional services agreement with FREESE & NICHOLS, INC. (staff recommendation), or the other qualified responder to Request for Qualifications Solicitation No. CLMP198, to provide engineering services for the Large Diameter Wastewater Interceptors Multi-Sensor Pilot Project for a total contract amount not to exceed \$800,000. (Districts 1, 3, 4, 7, 9, and 10) (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). No goals were established for this solicitation due to limited subcontracting availability and insufficient scopes of work.)  
**The motion authorizing negotiation and execution of a professional services agreement with Freese & Nichols, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**
15. Authorize negotiation and execution of a professional services agreement with the following three staff-recommended firms for Request for Qualifications Solicitation No. CLMP193A: STRUCTURAL INTEGRITY ASSOCIATES, INC., REINHART & ASSOCIATES, INC., and INTERTEKUSA DBA INTERTEKAIM, to provide engineering services for the 2016 Inspection and Analysis of Power Generation Facilities Rotation List - Reissue, for an estimated period of three years or until financial authorization is expended, for a total amount not to exceed \$4,000,000 divided among the three firms. (Notes: This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). Goals were not established for this solicitation due to limited subcontracting opportunities and limited availability.) August 15, 2016: Recommended by the Electric Utility Commission on a vote of 9-0 with Commissioners Biedrzycki and Roa off the dais.  
**The motion authorizing negotiation and execution of a professional services agreement with the following three firms: Structural Integrity Associates, Inc., Reinhart & Associates, Inc. and INTERTEKUSA doing business as INTERTEKAIM was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**

16. Authorize the use of the competitive sealed proposal procurement methodology for the solicitation of construction improvements for the Austin-Bergstrom International Airport Terminal Facility Upper Level Embankment Repairs Project. (District 2) (Notes: MBE/WBE goals will be established prior to issuance of this solicitation.)  
**The motion authorizing the use of the competitive sealed proposal procurement methodology was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**
17. Authorize negotiation and execution of an agreement with PRUDENT TECHNOLOGIES, INC., for the construction of the Eliza Spring Outlet Daylighting project for a total contract amount not to exceed \$1,400,000. (District 8) (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 8.41% MBE and 0.43% WBE participation.)  
**The motion authorizing negotiation and execution of an agreement with Prudent Technologies, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 7-1 vote. Council Member Troxclair voted nay. Council Members Gallo, Houston, and Zimmerman abstained.**
18. Authorize award and execution of a construction contract with RESTEK, INC. for the Austin Convention Center Parking Garage Repairs at 201 E. 2nd St. and 601 E. 5th St. project in the amount of \$1,695,000 plus a \$169,500 contingency, for a total contract amount not to exceed \$1,864,500. (District 9) (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 6.15% MBE and 0.09% WBE participation.)  
**The motion authorizing award and execution of a construction contract with RESTEK, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**
19. Authorize award and execution of a construction contract with MUNIZ CONCRETE & CONTRACTING, INC. for the Lower Buttermilk Creek Bank Stabilization project in the amount of \$780,417.12 plus a \$78,041.71 contingency, for a total contract amount not to exceed \$858,458.83. (District 1) (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 79.03% MBE and 2.27% WBE participation.)  
**The motion authorizing award and execution of a construction contract with Muniz Concrete & Contracting, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**
20. Authorize award and execution of a construction contract with FACILITIES REHABILITATION, INCORPORATED, for the Justin Lane, Burnet to Lamar Street Reconstruction and Utility Adjustments project, in the amount of \$4,891,005, plus an allowance of \$150,000 and a \$252,050.25 contingency, for a total contract amount not to exceed \$5,293,055.25. (District 7) (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 72.53% MBE and 2.45% WBE participation.)  
**The motion authorizing award and execution of a construction contract with Facilities Rehabilitation, Incorporated was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Gallo abstained.**

**Item 21 was pulled for discussion.**

22. Authorize negotiation and execution of an agreement with Travis County for the City's use of Travis County's voting equipment and for the County Clerk to administer the City's elections.  
**The motion authorizing negotiation and execution of an agreement with Travis County was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**

**Item 23 was pulled for discussion.**

24. Authorize negotiation and execution of a 12-month interlocal agreement with The University of Texas for internet services through Texas Higher Education Network in an amount not to exceed \$57,464 with four 12-month renewal options in an estimated amount not to exceed \$114,968 for the first option, \$114,968 for the second option, \$155,206 for the third option and \$209,528 for the fourth option for a total contract amount not to exceed \$652,134.  
**The motion authorizing negotiation and execution of an interlocal agreement with The University of Texas was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**

**Item 25 was pulled for discussion.**

26. Approve an ordinance amending City Code Chapter 1-2 relating to the adoption of administrative rules.  
**Ordinance No. 20160818-026 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
27. Authorize negotiation and execution of an interlocal agreement with Travis County to coordinate the compliance monitoring of economic development agreements executed with companies by both the City and the County under their Chapter 380 and Chapter 381 Economic Development Programs, respectively.  
**The motion authorizing negotiation and execution of an interlocal agreement with Travis County was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-1 vote. Council Members Zimmerman voted nay. Council Member Troxclair abstained.**
28. Authorize execution of a 12-month service contract with the Local Economies Council to host the 2016-17 Keep Austin Local Retreat, in an amount not to exceed \$15,000, with two 12-month extension options not to exceed \$15,000 each, for a total contract amount not to exceed \$45,000.  
**The motion authorizing execution of a service contract with the Local Economies Council was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-0 vote. Council Members Gallo and Zimmerman abstained.**
29. Approve a resolution amending Resolution No. 20141211-030 to adopt revised Cultural Arts Program Exhibition Series Guidelines for exhibition of art at City Hall.  
**Resolution No. 20160818-029 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**

**Item 30 was pulled for discussion.**

31. Approve an ordinance authorizing the issuance and sale by February 18, 2017, of City of Austin Public Improvement Bonds, Taxable Series 2016, in an amount not to exceed \$12,000,000 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving related fees.  
**Ordinance No. 20160818-031 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-1 vote. Council Member Zimmerman voted nay.**
32. Approve an ordinance authorizing the issuance and sale by February 18, 2017, of City of Austin Public Property Finance Contractual Obligations, Series 2016, in an amount not to exceed \$25,070,000 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving related fees.  
**Ordinance No. 20160818-032 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained.**
33. Approve an ordinance authorizing the issuance and sale by February 18, 2017, of City of Austin Public Improvement and Refunding Bonds, Series 2016, in an amount not to exceed \$108,810,000 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving related fees.  
**Ordinance No. 20160818-033 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-1 vote. Council Member Zimmerman voted nay.**
34. Approve an ordinance authorizing the issuance and sale by February 18, 2017, of City of Austin Certificates of Obligation, Series 2016, in an amount not to exceed \$53,550,000 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving related fees.  
**Ordinance No. 20160818-034 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained.**
35. Approve an ordinance authorizing the issuance and sale by February 18, 2017, of City of Austin Certificates of Obligation, Taxable Series 2016, in an amount not to exceed \$8,700,000 in accordance with the parameters set out in the ordinance, authorizing related documents, and approving related fees.  
**Ordinance No. 20160818-035 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained.**
36. Approve an ordinance authorizing the issuance and sale by February 18, 2017, of City of Austin Town Lake Park Community Events Center Venue Project Refunding Bonds Series 2016, in an amount not to exceed \$31,000,000 in accordance with the parameters set out in the ordinance, providing for the award of the sale of the bonds, authorizing related documents, and approving related fees.  
**Ordinance No. 20160818-036 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-1 vote. Council Member Zimmerman voted nay.**
37. Approve an ordinance authorizing acceptance of \$525,625 in additional grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, AUSTIN, TEXAS, and amending

the Fiscal Year 2015-2016 Health and Human Services Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to appropriate \$525,625 for a 12-month extension of the Tuberculosis State Prevention and Control Grant.

**Ordinance No. 20160818-037 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**

38. Approve an ordinance authorizing acceptance of \$362,358 in grant funds from the DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES, 78744 COMMUNITY YOUTH DEVELOPMENT GRANT, and amending the Fiscal Year 2015-2016 Health and Human Services Department Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to appropriate \$362,358 for juvenile delinquency prevention services.

**Ordinance No. 20160818-038 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**

39. Authorize award, negotiation, and execution of a 12-month interlocal agreement with AUSTIN COMMUNITY COLLEGE to provide childcare quality improvement services in an amount not to exceed \$48,760, with four 12-month extension options in an amount not to exceed \$48,760 per extension option, for a total contract amount not to exceed \$243,800.

**The motion authorizing award, negotiation and execution of an interlocal agreement with Austin Community College was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-1 vote. Council Member Zimmerman voted nay. Council Member Gallo abstained.**

40. Authorize negotiation and execution of second amendments to contracts with two service providers for juvenile delinquency prevention services extending the contract term through May 31, 2017 for MEXIC-ARTE MUSEUM in an amount not to exceed \$74,985, for a total contract amount not to exceed \$140,970; and THEATRE ACTION PROJECT dba CREATIVE ACTION in an amount not to exceed \$78,347, for a total contract amount not to exceed \$156,693.

**The motion authorizing negotiation and execution of second amendments to contracts for Mexic-Arte Museum and Theatre Action Project doing business as Creative Action was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-1 vote. Council Member Zimmerman voted nay.**

41. Authorize award, negotiation, and execution of a 12-month interlocal agreement with WORKSOURCE GREATER AUSTIN AREA WORKFORCE BOARD for early childhood services in an amount not to exceed \$365,868, with four 12-month extension options in an amount not to exceed \$365,868 per extension option, for a total contract amount not to exceed \$1,829,340.

**The motion authorizing award, negotiation and execution of an interlocal agreement with Worksource Greater Austin Area Workforce Board was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-1 vote. Council Member Zimmerman voted nay.**

42. Authorize negotiation and execution of a contract with five social service agencies for community-based social services and capacity building in an amount not to exceed \$350,000, for a 13-month term beginning September 1, 2016, with four 12-month renewal options in an amount not to exceed \$350,000 per renewal option, for a total contract amount not to exceed \$1,750,000.

**This item was withdrawn on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**

43. Authorize execution of an amendment to the outside counsel contract with Robert Icenhauer Ramirez for legal representation in connection with Ketty Sully v. City of Austin et al, Cause No. 1:16-CV-00818, in an amount not to exceed \$316,000 for a total contract amount not to exceed \$371,000.  
**The motion authorizing execution of an amendment to the outside counsel contract with Robert Icenhauer Ramirez was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**
44. Authorize negotiation and execution of a 72-month extension option to the current lease agreement with Cornerstone Holding, LP, for approximately 71,920 square feet of office space for Austin Energy, located at 811 Barton Springs Road, in an amount not to exceed \$19,501,828 (District 9). August 15, 2016: Recommended by the Electric Utility Commission on a vote of 9-0 with Commissioners Biedrzycki and Roa off the dais.  
**The motion authorizing negotiation and execution of an extension option to the current lease agreement with Cornerstone Holding, LP was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-1 vote. Council Member Zimmerman voted nay.**
45. Authorize negotiation and execution of a 60-month renewal option to the current lease agreement with Silicon Laboratories, Inc., for approximately 8,499 square feet of office space for Office of the City Auditor, located at 200 West Cesar Chavez, Suite 200, in an amount not to exceed \$2,186,793 (District 9).  
**The motion authorizing negotiation and execution of a renewal option to the current lease agreement with Silicon Laboratories, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**
46. Authorize negotiation and execution of a 3-year lease agreement with Austin Community College for up to 7,500 square feet of facility space for a fashion incubator, located at 6101 Airport Boulevard, Austin, Travis County, Texas, in an amount not to exceed \$355,000. (District 4)  
**This item was withdrawn on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Troxclair abstained.**
47. Approve an ordinance amending City Code 9-2 relating to requirements for non-peak hour concrete installation within portions of the Central Business District and Public zoning districts.  
**This item was withdrawn on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**

**Items 48 and 49 were pulled for discussion.**

50. Approve an ordinance accepting \$60,119 in grant funds from the Travis County Domestic Violence and Sexual Assault Survival Center (d/b/a SafePlace); and amending the Fiscal Year 2015-2016 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to appropriate \$60,119 for the joint project between the Austin Police Department and SafePlace entitled Enhancing the Austin/Travis County Sexual Assault Response and Resources Team..  
**Ordinance No. 20160818-050 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**

51. Approve a resolution authorizing the acceptance of grant funding from the State of Texas, Governor's Office, Criminal Justice Division to implement the APD Assistance for Victims of Violent Crime project.  
**Resolution No. 20160818-051 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**
52. Approve an ordinance accepting \$109,660 in grant funds from the State of Texas, Criminal Justice Division, Victims of Crime Act Fund; and amending the Fiscal Year 2015-2016 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20150908-001) to appropriate \$109,660 for the Austin Police Department project APD Assistance for Victims of Violent Crime.  
**Ordinance No. 20160818-052 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**
53. Authorize the negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for the relocation of, and adjustments to, existing water utility infrastructure at Oltorf Street and Interstate Highway 35 to accommodate TxDOT's Interstate Highway 35 Mobility Improvements project, in an amount not to exceed \$1,434,460. (Districts 3 and 9)  
**The motion authorizing the negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**

**Items 54 and 55 were pulled for discussion.**

56. Authorize award and execution of a 24-month contract with L.J. POWER, INC., to provide generator inspection, maintenance, and repair services, in an amount not to exceed \$600,000, with four 12-month extension options in an amount not to exceed \$300,000 per extension option, for a total contract amount not to exceed \$1,800,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities and insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)  
**The motion authorizing award and execution of a contract with L.J. Power, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
57. Authorize award and execution of a 24-month contract with ELK ELECTRIC, INC., JM ENGINEERING, LLC (WBE), and TRINI CONSTRUCTION BUILDER, LLC (MBE), to provide electrical, general building, and heating, ventilating, and air conditioning installation, maintenance and repair services, in an amount not to exceed \$5,200,000 each and combined, with four 12-month extension options in an amount not to exceed \$2,600,000 per extension option each and combined, for a total contract amount not to exceed \$15,600,000 each and combined. (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 was insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)  
**The motion authorizing award and execution of a contract with Elk Electric, Inc., JM Engineering, LLC and Trini Construction Builder, LLC was approved on consent on**

**Council Member Zimmerman's motion, Council Member Garza's second on a 9-0 vote. Council Members Gallo and Zimmerman abstained.**

**Items 58 and 59 were pulled for discussion.**

60. Authorize award and execution of a 12-month contract with SAGELINE INC., to provide pet food and supplies, in an amount not to exceed \$366,142, with five 12-month extension options in an amount not to exceed \$375,000 per extension option, for a total contract amount not to exceed \$2,241,142. (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 was insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)  
**The motion authorizing award and execution of a contract with Sageline Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**
61. Authorize award and execution of a 36-month contract with SHANNON CHEMICAL CORP to provide liquid phosphate, in an amount not to exceed \$918,330, with three 12-month extension options in an amount not to exceed \$306,110 per extension option, for a total contract amount not to exceed \$1,836,660. (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 and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)  
**The motion authorizing award and execution of a contract with Shannon Chemical Corp was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**
62. Authorize award and execution of two 24-month contracts with DINCA GROUP, LLC to provide flexible base, substation surface rock, and limestone rock. The first contract is for Austin Energy in an amount not to exceed \$1,976,206, with three 12-month extension options in an amount not to exceed \$988,103 per extension option, for a total contract amount not to exceed \$4,940,515; the second contract is for various City departments in an amount not to exceed \$1,393,200, with three 12-month extension options in an amount not to exceed \$696,600 per extension option, for a total contract amount not to exceed \$3,483,000. (Notes: This solicitation will be awarded in compliance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program by exceeding the goals with 25% WBE participation.) August 15, 2016: Recommended by the Electric Utility Commission on a vote of 9-0 with Commissioners Biedrzycki and Roa off the dais.  
**The motion authorizing award and execution of two contracts with Dinca Group, LLC was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**

**Items 63 through 65 were pulled for discussion.**

66. Authorize negotiation and execution of a 60-month contract with PFM FINANCIAL ADVISORS LLC, or one of the other qualified offerors to Request For Qualification Statements SMB0301, to provide financial advisor services, in an amount not to exceed \$1,500,000, with three 12-month extension options in an amount not to exceed \$300,000 per extension option, for a total contract amount not to exceed \$2,400,000. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned

Business Enterprise Procurement Program. For the services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

**The motion authorizing negotiation and execution of a contract with PFM Financial Advisors LLC was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 10-0 vote. Council Member Zimmerman abstained.**

67. Approve an ordinance amending City Code Section 12-4-64 (D) to establish a maximum speed limit of 40 miles per hour on Pearson Ranch Road from Avery Ranch Boulevard to 28 feet south of Iveans Way (Austin City Limit). (District 6)  
**Ordinance No. 20160818-067 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
68. Approve an ordinance amending City Code Section 12-4-64 (D) to add a 25 mph school zone to a portion of Pearson Ranch Road for the safety of students attending Elsa England Elementary School; and provide for emergency passage.  
**Ordinance No. 20160818-068 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
69. Approve an ordinance amending City Code Section 12-4-64 (D) to add a 20 mph school zone to a portion of Neenah Avenue for the safety of students attending Holy Family Catholic and St. Dominic Savio Schools; and provide for emergency passage.  
**Ordinance No. 20160818-069 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
70. Approve a resolution authorizing the application for a grant from the Texas Water Development Board in the amount of up to \$100,000 for 50 percent of the cost for improvements to the public website [www.ATXfloods.com](http://www.ATXfloods.com).  
**Resolution No. 20160818-070 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
71. Approve a resolution for the appointment of directors to the Waller Creek Local Government Corporation board.  
**Resolution No. 20160818-071 was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**
72. 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 consent on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**

#### Nominations

Board/Nominee

Nominated by

Arts Commission  
Felipe Garza

Council Member Renteria

Asian American Quality of Life Advisory Commission

Sonemaly Phrasavath

Council Member Renteria

Joint Inclusion Committee  
Paul Rhea

Joint Inclusion Committee

Joint Inclusion Committee (alternate)  
Carmen Llanes Pulido

Hispanic/Latino Quality of Life  
Resource Advisory Commission

Joint Inclusion Committee (alternate)  
Vincent Cobalis

Asian American Quality of  
Life Advisory Commission

**Items 73 through 75 were pulled for discussion.**

76. Approve payment or reimbursement of certain costs under City Code Chapter 14-8 for the United Farm Workers March sponsored by United Farm Workers which is to be held Sunday, September 11 beginning on Congress Avenue and ending at the Texas State Capitol. (Notes: SPONSOR: Council Member Sabino "Pio" Renteria CO 1: Council Member Ora Houston CO 2: Council Member Gregorio Casar CO 3: Council Member Delia Garza CO 4: Mayor Steve Adler)  
**The motion approving payment or reimbursement of certain costs under City Code Chapter 14-8 for the United Farm Workers March was approved on consent on Council Member Zimmerman's motion, Council Member Garza's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**
77. Set a public hearing to consider an ordinance amending the Imagine Austin Comprehensive Plan (Suggested date and time: September 1, 2016, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set on consent for September 1, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
78. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by thinkEAST Apartments, Ltd, or an affiliated entity, for the construction of an affordable multi-family development to be located at 1143 Shady Lane. (District 3) (Suggested date and time: September 1, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)  
**The public hearing was set on consent for September 1, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
79. Set a public hearing to receive public comment on the City of Austin Fiscal Year 2016-2017 Proposed Budget. (Suggested date and time: September 1, 2016, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX).  
**The public hearing was set on consent for September 1, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**
80. Set a public hearing to receive public comment on Austin Energy's proposed revised electric rates. (Suggested date and time: August 29, 2016 at 1:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).

**The public hearing was set on consent for August 29, 2016, 1:00 p.m. at 301 W. Second Street, Austin, TX on Council Member Zimmerman's motion, Council Member Garza's second on an 11-0 vote.**

Item 81 was for Discussion and Possible Action.

Item 82 was a Council Committee Item.

Items 83 through 86 were Executive Session Items.

Items 87 through 94 were public hearing items set for 4:00 p.m.

### **DISCUSSION ITEMS**

82. Approve a resolution initiating Code amendments to the City's density bonus programs to standardize and make more transparent affordability formulas and periods and related items; initiating amendments to the Transit Oriented Development density bonus provisions; and directing the City Manager to conduct a stakeholder process and to process the amendments.  
**Resolution No. 20160818-082 was approved on Council Member Renteria's motion, Mayor Pro Tem Tovo's second on a 10-0 vote. Council Member Troxclair abstained.**

**Mayor Adler recessed the Council Meeting to go into Executive Session at 10:52 a.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.**

84. Discuss legal issues related to a general obligation bond election (Private consultation with legal counsel - Section 551.071 of the Government Code).

**Executive Session ended and Mayor Pro Tem Tovo called the Council Meeting back to order at 12:04 p.m.**

### **CITIZENS COMMUNICATIONS: GENERAL**

Fanny Akingbala - In support of Capital IDEA.

Melinda Caudle - Need for I.T. workers in Austin.

John Goldstone - Mobility Bond.

Brenda Masias - Thank you for the City investment. – **Not Present.**

Walter Olenick - Water Fluoridation.

Rae Nadler-Olenick - Water Fluoridation.

Emely Villegas - Educating parents and the impact on their children.

Paul Robbins - City and Budget issues.

Carla Wilkenfeld - Empty store fronts in downtown area - proposal.

Akwasi Evans - Respect and reciprocity for minority businesses.

### **DISCUSSION ITEMS**

48. Approve an ordinance extending the expiration date of Ordinance No. 20141120-056 relating to requirements for non-peak hour concrete installation within portions of the Central Business District and Public zoning districts.  
**Ordinance No. 20160818-048 was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 10-1 vote. Council Member Zimmerman voted nay.**

**Items 74 and 23 were acted upon together.**

74. Approve a resolution relating to the 2016 Mobility Bond Program. (Notes: SPONSOR: Mayor Steve Adler CO 1: Council Member Gregorio Casar CO 2: Council Member Leslie Pool CO 3: Council Member Sabino "Pio" Renteria)  
**A motion to approve the resolution with the following amendments was made by Mayor Adler and seconded by Council Member Kitchen. The amendments were:**
- **To revise the fourth Whereas clause to correct "FM 2222" to read "RM 2222".**
  - **To revise the fifth Whereas clause to read "WHEREAS, City Council desires that the \$720 million bond program be completed within eight years from voter approval and in accordance with the guidance and procedures set forth in this resolution; NOW, THEREFORE,".**
  - **To revise the first BE IT FURTHER RESOLVED clause to read:**  
**"BE IT FURTHER RESOLVED: Council, by this official action declares its intent to contract with the voters as to the following permissible purposes for which bond proceeds must be expended and the processes that must be followed in determining and prioritizing those expenditures:**  
**(A) Upon voter approval of the November 2016 Mobility Bond Program, the City Manager shall begin coordination, design, and engineering activities as soon as possible for all projects listed under subsection (ii), parts (a) and (b) above associated with the \$482,000,000 allocated for Corridor Improvement Projects in order to develop recommendations for a construction program for City Council consideration. When City staff has gathered sufficient data to develop potential construction elements for the Corridor Improvement Projects, and before any construction funded by these bonds is committed or initiated for these projects, the City Manager is directed to bring forth recommendations supported by identifiable metrics for implementation of a "Corridor Construction Program" in ways that prioritize: a) reduction in congestion; b) improved level of service and reduce delay at intersections for all modes of travel; c) connectivity, and improved effectiveness of transit operations within these corridors and throughout the system; and subject to the foregoing, also makes allowances for: i) preservation of existing affordable housing and local businesses on the corridors, and opportunities for development of new affordable housing along the corridors, including, but not limited to, the use of community land trusts, tax increment finance zones along corridors, homestead preservation zone tools, revisions to the S.M.A.R.T. Housing Program, and targeted investments on the corridors utilizing affordable housing bonds and the Housing**

Trust Funds; ii) geographic dispersion of funding; and iii) opportunities to facilitate increased supply of mixed-income housing;

(B) Subject to subsection (A) above, the “Corridor Construction Program” developed by the City Manager for City Council consideration shall recommend implementation timelines in accordance with need, as established by the Imagine Austin Comprehensive Plan, the Critical Arterials Lists, Top Crash Location Intersection Priorities List, and other policy plans as identified in this resolution;

(C) Subject to subsection (A) above, in implementing the “Corridor Construction Program,” the City Manager shall further emphasize making corridors livable, walkable, safe, and transit-supportive, and aligned with the principles and metrics in the Imagine Austin Comprehensive Plan, with goals of reducing vehicle miles traveled, increasing transit ridership and non-vehicular trips, and promoting healthy, equitable, and complete communities as growth occurs on these corridors;

(D) The City Manager shall revisit and update existing corridor plan as needed to ensure that final design and implementation conforms to the region’s most recently adopted transportation plans and recently adopted policies and standards for transportation infrastructure design, including, but not limited to:

- Capital Metro Connections 2025;
- Capital Metro Service Guidelines and Standards;
- Project Connect Regional High Capacity Transit Plan;
- City of Austin Strategic Housing Plan;
- City of Austin Transit Priority Policy;
- City of Austin Strategic Mobility Plan;
- City of Austin Complete Streets Policy;
- City of Austin Sidewalk Master Plan;
- City of Austin Urban Trails Master Plan;
- City of Austin Bicycle Master Plan;
- Vision Zero Plan;
- applicable National Association of City Transportation Officials standards; and
- Imagine Austin Comprehensive Plan;

(E) The City Manager is directed to coordinate with other local taxing entities and identify and pursue potential opportunities for grants and other collaborative funding from federal, state, local, as well as private sources. If additional funding is required to complete specific improvements, the City Manager is directed to identify available funding within existing capital budgets and other sources described above (provided that neither the identification, commitment nor receipt of such additional funding shall limit Council’s authority to proceed with the issuance of bonds or notes authorized by the November 2016 Mobility Bond Election). If the costs of improvements associated with an identified Regional Mobility project is less than the amount designated for that specific project, the excess funds shall be used on additional improvements in the corridors on which identified Regional Mobility projects are being implemented; and

(F) The City Manager is directed to analyze existing capital project delivery systems and processes in order to recommend potential changes and resource requirements to complete the proposed bond program within eight years from initiation (provided that bonds and notes authorized by the November 2016 Mobility Bond Election shall be issued to provide funding for the bond program at the appropriate time, as determined by Council, which may be more than eight years after initiation of the bond program). Further, the City Manager shall bring forth recommendations to City Council within 90 days of voter approval, outlining a process for City Council

oversight, including a report to the Mobility Committee, a report to the full Council, and a timeline and process for reporting to the Citizen Bond Oversight Committee.

A motion to amend the second Be It Further Resolved clause, subsection (A) was made by Mayor Adler and accepted without objection. The amendment was to revise the second sentence of the paragraph to read “When City staff has gathered sufficient data to develop potential construction elements for the Corridor Improvement Projects, and before any construction funding is appropriated or construction initiated for these projects, the City Manager is directed to bring forth recommendations supported by identifiable metrics for implementation of a “Corridor Construction Program”.

A motion to insert in the second Be It Further Resolved clause a new Subsection (D) and adjust all other subsections as needed was made by Mayor Adler and accepted without objection. The new Subsection (D) is to read: “In reviewing and approving the Corridor Construction Program, the City Council shall be guided by the same priorities and considerations as apply to the City Manager as set out in Subsections (A), (B), and (C) above;”.

A motion to amend the resolution was approved on Council Member Gallo’s motion, Council Member Troxclair’s second on an 11-0 vote. The amendment was to add a new Be It Further Resolved clause to read: “City Manager is directed to include in bond informational materials that educate the voters about the bond election, in addition to the typical voter information about projects and programs that are included in the bond program as described above, as well as the typical tax rate and tax bill impact information that has been included in previous bond information, tax impact information for a median valued house and houses of various appraised values in a Bond Voter Information Brochure and a tax bill impact calculator to be included on a Bond Program Informational Website”.

Resolution No. 20160818-074 was approved as amended above on Mayor Adler’s motion, Council Member Kitchen’s second on a 7-1 vote. Council Member Houston voted nay. Council Members Garza, Troxclair, and Zimmerman abstained.

23. Approve third reading of an ordinance ordering a general municipal election to be held in the City of Austin on November 8, 2016, for the purpose of electing City Council Members for District 2, District 4, District 6, District 7, and District 10; ordering a special election for the purpose of authorizing the issuance of general obligation bonds for transportation and mobility; providing for the conduct of the election; authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the election; and declaring an emergency.

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

A motion to amend Part 4 the ordinance was approved on Council Member Troxclair’s motion, Council Member Gallo’s second on a 10-0 vote. Council Member Renteria abstained.

The amendment was to have Part 4 read: Pursuant to Section 3.009, Texas Election Code: (i) the Proposition language that will appear on the ballot is set forth in Part 3, (ii) the purposes for which the bonds and notes are to be authorized are set forth in Part 2, (iii) the principal amount of bonds and notes to be authorized is set forth in Part 2, (iv) if the

issuance of bonds and notes is authorized by voters, taxes sufficient, within the limits prescribed by law, to pay the annual principal of and interest on the bonds and notes and to provide a sinking fund to pay the bonds and notes may be imposed, as set forth in Part 2, (v) bonds and notes authorized pursuant to this ordinance may be issued to mature over not to exceed 40 years from their date of issuance and bearing interest at the rate or rates (not to exceed 15%), as authorized by law and determined by the Council, (vi) as of the beginning of the City's current fiscal year, the aggregate amount of outstanding principal of the City's debt obligations was \$1,302,730,000, and the aggregate amount of outstanding interest on the City's debt obligations was \$485,909,029.50, and (vii) the City's ad valorem debt service tax rate as of the date of adoption of this ordinance is \$0.1062 per \$100 of taxable property.

Based upon market conditions as of the date of this ordinance and using taxable assessed values for the 2015 tax year (2015/16 fiscal year), without adjustment for anticipated growth in taxable assessed value in future years, if the bonds and notes are authorized, the estimated total tax rate of the City is expected to be approximately \$0.5339 per \$100 of taxable assessed value (which represents an increase of \$0.0750 per \$100 taxable assessed valuation as compared to the City's total tax rate as of the date of adoption of this ordinance), based on current State law, which is subject to change. As was presented to Council, applying the assumptions used in the General Obligation Bond Capacity Analysis dated June 1, 2016, which includes forecasted growth in taxable assessed value, City financial staff has determined that, if the bonds and notes are authorized, the City's total tax rate would increase by an estimated \$0.0225 per \$100 of taxable assessed valuation (as compared to the City's total tax rate as of the date of adoption of this ordinance). If the bonds and notes are authorized, actual tax rates will depend upon, among other factors, the assessed valuation of taxable property, prevailing interest rates, the market for the City's bonds and notes and general market conditions at the time that bonds and notes are issued.

The estimated tax rates and other statements contained in this Part 4 are (i) based on certain assumptions (including assumptions concerning prevailing market and economic conditions at the time(s) of issuance of the bonds and notes), (ii) subject to change to the extent that actual facts, circumstances and conditions prevailing at the time that the bonds and notes are issued differ from such assumptions and projections, (iii) provided solely in satisfaction of the requirements of Section 3.009, Texas Election Code, and for no other purpose, without any assurance that such projections will be realized, and (iv) not intended to give rise to a contract with voters or limit the authority of the Council to issue bonds and notes in accordance with the Proposition submitted herein.

A motion to amend Part 3 of the ordinance was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on a 7-4 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Kitchen and Renteria. Those voting nay were: Council Members Garza, Houston, Troxclair and Zimmerman. The amendment was to have Part 3 read: The Proposition will appear on the official ballot in substantially the following form, and the ballot shall be prepared to permit voting "for" or "against" the Proposition:

#### PROPOSITION

The issuance of \$720,000,000 transportation and mobility improvement bonds and notes for improvements to Loop 360 corridor, Spicewood Springs Road, Old Bee Caves Road Bridge, Anderson Mill Road, intersection of RM 620 and RM 2222, Parmer Lane, North Lamar Boulevard, Burnet Road, Airport Boulevard, East Martin Luther King Jr. Boulevard/FM 969, South Lamar Boulevard, East Riverside Drive, Guadalupe Street, Slaughter Lane,

William Cannon Drive, Rundberg Lane, East Colony Park Loop Road, South Congress Avenue, Manchaca and South Pleasant Valley Road; sidewalks, Safe Routes to School, urban trails, bikeways, fatality reduction strategies, and the following local mobility substandard streets/capital renewal projects: Falwell Lane, William Cannon Overpass Bridge, FM 1626, Cooper Lane, Ross Road, Circle S Road, Rutledge Spur, Davis Lane, Latta Drive/Brush Country, Johnny Morris Road, and Brodie Lane; and the levy of a tax sufficient to pay for the bonds and notes.

A motion to approve Part 1 setting the General Municipal Election was approved on Mayor Adler's motion, Council Member Kitchen's second on an 11-0 vote.

A motion to approve the remaining parts of the ordinance as amended above was made by Mayor Adler and seconded by Council Member Kitchen. The motion included accepting the revision to Part 2 (iii)(e) to strike the word "including" and replace it with "for".

A motion to divide the question and vote separately on item 23 and 74 failed on Council Member Zimmerman's motion, Council Member Houston's second on a 2-9 vote. Those voting aye were: Council Members Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Casar, Gallo, Garza, Houston, Kitchen, Pool and Renteria.

A motion to divide the bond package into three propositions failed on Council Member Troxclair's motion, Council Member Zimmerman'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. 20160818-023 was approved as amended above on Mayor Adler's motion, Council Member Kitchen's second on a 7-1 vote. Council Member Houston voted nay. Council Members Garza, Troxclair, and Zimmerman abstained.

Mayor Adler recessed the Council Meeting to go into Executive Session at 2:10 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.

83. 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.**
85. Discuss legal issues related to Ketty Sully v. City of Austin et al, Cause No. 1:16-CV-00818, in the United States District Court for the Western Division of Texas (Private consultation with legal counsel - Section 551.071 of the Government Code) (Related to February 8, 2016 officer-involved shooting).  
**This item was withdrawn without objection.**

86. Discuss the appointment and duties of an interim City Manager (Personnel matter - Section 551.074 of the Government Code)

**Executive Session ended and Mayor Adler called the Council Meeting back to order at 3:54 p.m.**

### **DISCUSSION ITEMS**

73. Approve a resolution related to the 2016 Mobility Bond Program. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Delia Garza CO 2: Council Member Sheri Gallo CO 3: Council Member Leslie Pool)

**This item was withdrawn without objection.**

21. Approve an ordinance repealing and replacing City Code Chapter 4-8 relating to the regulation of lobbyists, setting fees related to the regulation of lobbyists, amending City Code Chapter 2-7 relating to the Ethics Review Commission, and amending City Code Section 2-2-62 relating to funding for the Austin Fair Campaign Finance Fund.

**The motion to approve the ordinance on first reading only was approved on Council Member Pool's motion, Council Member Renteria's second on a 10-0 vote. Council Member Houston was off the dais.**

9. Authorize negotiation and execution of a financing agreement with the Texas Water Development Board (TWDB) for a 20-year low interest loan in the amount of \$20,430,000 through TWDB's State Water Implementation Fund for Texas loan program, for the implementation of multiple capital improvement projects associated with Austin Water's wastewater and reclaimed water systems.

**The motion authorizing negotiation and execution of an agreement with the Texas Water Development Board was approved on Council Member Pool's motion, Council Member Garza's second on an 8-2 vote. Those voting aye were: 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 was off the dais.**

25. Authorize the negotiation and execution of a five-year agreement with one five-year extension option with the Austin Convention and Visitors Bureau for convention and tourism promotion services in an estimated amount not to exceed \$16,472,944 for Fiscal Year 2016-2017.

**The motion authorizing negotiation and execution of an agreement as amended below with one five-year extension option with the Austin Convention and Visitors Bureau was approved on Mayor Pro Tem Tovo's motion, Council Member Zimmerman's second on an 10-0 vote. Council Member Zimmerman was off the dais.**

**The amendment was revise the contract to limit the amount of Fiscal Year 2017 funding under this contract to the Fiscal Year 2016 amount of \$14,473,733.**

**Direction was given to staff to provide Council with a map of hotels and restaurants within each district and a map of where the hotel and restaurant employees reside. In addition, Council will address the question of amount of funding for the Austin Convention and Visitors Bureau as part of the budget discussions.**

75. Approve a resolution creating a Visitor Impact Task Force to study and make recommendations regarding the City's use of Hotel Occupancy Taxes; directing the City Manager to consider creating special funds with Hotel Occupancy Taxes; and directing the City Manager to begin

conversations with downtown hotels regarding a Tourism Public Improvement District. (Notes: SPONSOR: Council Member Ellen Troxclair CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sheri Gallo CO 3: Council Member Don Zimmerman CO 4: Council Member Ora Houston)

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

**A motion to amend the resolution as follows was made by Council Member Garza and accepted without objection.**

**The amendment was to include the following members:**

- **2 community members who represent the tourism workforce nominated by the Economic Opportunity Committee**
- **1 community member appointed by the Planning and Neighborhood Committee**
- **1 member of the Urban Transportation Commission nominated by the board**
- **1 member of the Environmental Commission nominated by the board**

**A motion was made by Mayor Adler to add a representative of the restaurant industry and two members from the Austin Convention Center. The motion was later withdrawn.**

**A motion was made by Council Member Troxclair to amend the resolution. The amendment was accepted without objection. The amendment was to:**

- **Strike the member representing the technology community representative nominated by the Community Technology & Telecommunications member and replace it with a representative from the Austin Convention Center.**
- **Revise the member nominated by the Downtown Commission to require that the nominee represent the restaurant industry.**

**A motion was made by Mayor Pro Tem Tovo to revise the first two bullet points under number 2 of the resolution. The amendment was accepted without objection. The amendment was to have the first two bullet points to read:**

- **2 members of the music industry nominated by the Music Commission;**
- **2 members of the arts community nominated by the Arts Commission;**

**A motion was made by Council Member Pool to propose that the number of members change from two to one for all representatives. The motion was later withdrawn.**

**A motion was made by Mayor Pro Tem Tovo and accepted without objection to revise Part 2 of the resolution as follows:**

- **To add a representative of the restaurant industry nominated by the Economic Opportunity Committee;**
- **To strike the requirement that the Downtown Commission nominee be a representative of the restaurant industry.**

**A motion was made by Council Member Kitchen to include a statement that a quorum is based on the majority of those who have been appointed, rather than based on the total membership of the taskforce. The amendment was accepted without objection.**

**A motion by Council Member Troxclair to keep the Urban Transportation Commission representative failed on a 4-6 vote. Those voting aye were: Mayor Pro Tem Tovo, Council Members Casar, Garza and Kitchen. Those voting nay were: Mayor Adler, Council**

**Members Gallo, Houston, Renteria, Troxclair and Zimmerman. Council Member Pool abstained.**

**A motion was made by Council Member Garza revising number 8 of the resolution to clarify that the staff from Public Works and Austin Transportation Department would serve as ex-officio members. The motion was accepted without objection.**

**Resolution No. 20160818-075 was approved as amended above on Council Member Troxclair motion, Council Member Houston's second on an 11-0 vote.**

**Mayor Adler recessed the meeting at 5:53 p.m.**

### **LIVE MUSIC**

Ogden Payne

### **PROCLAMATIONS**

Proclamation – Urban Artist Alliance Day – To be presented by Mayor Steve Adler

Distinguished Service Award – Jason Darrell Mathes – To be presented by Mayor Steve Adler and to be accepted by the honoree

Proclamation – 26th anniversary of the Americans with Disabilities Act – To be presented by Mayor Steve Adler

Proclamation – Donna Edgar – To be presented by Council Member Leslie Pool

Proclamation – Getting Connected – To be presented by Mayor Steve Adler

**Mayor Adler reconvened the meeting at 7:24 p.m.**

### **DISCUSSION ITEMS**

63. Authorize negotiation and execution of a 12-month contract with FACTORY MUTUAL INSURANCE COMPANY, or one of the other qualified offerors to Request For Proposals TVN0060, to provide all-risk property and boiler machinery insurance coverage and ancillary risk management services, in an amount not to exceed \$2,829,355, with six 12-month extension options in an amount not to exceed \$3,427,563 for the first option, \$4,035,193 for the second option, \$4,660,648 for the third option, \$5,460,043 for the fourth option, \$6,306,350 for the fifth option, and \$7,283,834 for the sixth option, for a total contract amount not to exceed \$34,002,986. (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 an insufficient number of certified M/WBE's; therefore, no subcontracting goals were established.) August 15, 2016: Recommended by the Electric Utility Commission on a vote of 9-0 with Commissioners Biedrzycki and Roa off the dais.

**The motion authorizing negotiation and execution of a contract with Factory Mutual Insurance Company was approved on Council Member Troxclair's motion, Council Member Garza's second on an 11-0 vote.**

59. Authorize negotiation and execution of a 36-month contract with VERMONT SYSTEMS, INC., to provide hosting, support services and additional modules for the existing recreation management system, in an amount not to exceed \$212,738, with three 12-month extension options in an amount not to exceed \$72,477 for the first option, \$74,972 for the second option, and \$77,301 for the third option, for a total contract amount not to exceed \$437,488. (Notes: This contract is exempt from the City Code Chapter 2-9 D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established.) **This item was postponed to September 1, 2016 on Council Member Garza's motion, Council Member Gallo's second on an 11-0 vote.**
65. Authorize negotiation and execution of cost reimbursement agreements for make-ready, construction, and replacement work on utility poles with telecommunication, cable, data, and franchised video-service providers who have infrastructure license agreements with Austin Energy, in a combined amount not to exceed \$1,500,000 per year over a 48-month term, for a total amount not to exceed \$6,000,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. MBE/WBE goals will be established prior to execution of a contract.) August 15, 2016: Recommended by the Electric Utility Commission on a vote of 9-0 with Commissioners Biedrzycki and Roa off the dais. **This item was postponed to September 1, 2016 on Council Member Troxclair's motion, Council Member Houston's second on a 10-1 vote.**
49. Authorize execution of an agreement with the Travis County Domestic Violence and Sexual Assault Survival Center (d/b/a SafePlace) to receive grant funding in the amount of \$60,119 for the joint project between the Austin Police Department and SafePlace entitled Enhancing the Austin/Travis County Sexual Assault Response and Resources Team. **The motion authorizing execution of an agreement with the Travis County Domestic Violence and Sexual Assault Survival Center doing business as SafePlace was approved on Council Member Houston's motion, Council Member Casar's second on an 11-0 vote.**
55. Authorize negotiation and execution of a 24-month contract with HOWROYD-WRIGHT EMPLOYMENT AGENCY INC. DBA APPLEONE, or one of the other qualified offerors to Request For Proposals RMJ0306, to provide call center staffing services, in an amount not to exceed \$18,422,565, with three 12-month extension options in an amount not to exceed \$9,211,283 per extension option, for a total contract amount not to exceed \$46,056,414. (Notes: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.) **The motion authorizing negotiation and execution of a contract with Howroyd-Wright Employment Agency Inc. doing business as APPLEONE was approved on Council Member Kitchen's motion, Council Member Garza's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**
64. Authorize negotiation and execution of a contract with ALLIED BARTON SECURITY SERVICES LLC, SMITH PROTECTIVE SERVICES, CHAMPION NATIONAL SECURITY, INC., and WHELAN SECURITY CO to provide security guard services in an amount not to exceed \$990,000 each and combined. (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 negotiation and execution of a contract with Allied Barton Security Services LLC, Smith Protective Services, Champion National Security, Inc., and Whelan Security Co. was approved on Mayor Pro Tem Tovo's motion, Council Member Casar's second on a 9-0 vote. Council Members Troxclair and Zimmerman abstained.**

### **PUBLIC HEARINGS**

87. Conduct a public hearing to receive public comment on proposed changes to Austin Energy's fees and pass-through charges as part of the Fiscal Year 2016-2017 Proposed Budget. Recommended by the Electric Utility Commission on a vote of 6-3-2 with Vice Chair Heidebrecht and Commissioners Ferchill, Mahmood, Norris, Osborne and Stout voting in favor; Commissioners Biedrzycki, Roa and Wray voting against; and Chair Hadden and Commissioner Fath abstaining. **The public hearing was postponed to August 25, 2016 on Mayor Pro Tem Tovo's motion, Council Member Zimmerman's second on an 11-0 vote.**

### **DISCUSSION ITEMS CONTINUED**

58. Authorize award and execution of a 12-month contract with GRENIER SERVICES COMPANY, LLC, DBA CEDAR PARK OVERHEAD DOORS, to provide overhead door maintenance, repair, and replacement services, in an amount not to exceed \$525,000, with five 12-month extension options in an amount not to exceed \$750,000 per extension option, for a total contract amount not to exceed \$4,275,000. (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 was insufficient subcontracting opportunities; therefore, no subcontracting goals were established.) **This item was postponed to September 1, 2016 on Council Member Zimmerman's motion, Council Member Troxclair's second on a 10-0 vote. Mayor Pro Tem Tovo was off the dais.**

### **PUBLIC HEARINGS CONTINUED**

**Items 88 and 93 were acted on in a combined motion.**

88. Conduct a public hearing to receive public comment on growth-related projects within the Drinking Water Protection Zone to be included in the FY 2016-2017 Capital Budget. **The public hearing was held and a motion to close the public hearing was approved on Council Member Troxclair's motion, Council Member Zimmerman's second on a 10-0 vote. Mayor Pro Tem Tovo was off the dais.**
93. Conduct a public hearing to receive public comment on the proposed rate and fee changes for Austin Water as part of the Fiscal Year 2016-2017 Proposed Budget. Recommended by the Water and Wastewater Commission on a 7-1 vote with Commissioner Blanding voting against and Commissioner Maia abstained. Commissioners Castleberry and Parker were absent. **The public hearing was held and a motion to close the public hearing was approved on Council Member Troxclair's motion, Council Member Zimmerman's second on a 10-0 vote. Mayor Pro Tem Tovo was off the dais.**

### **DISCUSSION ITEMS CONTINUED**

54. Authorize negotiation and execution of a 36-month contract with SOLIX, INC., to provide automatic enrollment administrator services for the Customer Assistance Program in an amount not to exceed \$3,900,000, with two 12-month extension options in an amount not to exceed \$1,300,000 per extension option, for a total contract amount not to exceed \$6,500,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program through the achievements of Good Faith Efforts.)

**The motion authorizing negotiation and execution of a contract with Solix, Inc. was approved as amended on Council Member Zimmerman's motion, Council Member Houston's second on a 10-0 vote. Council Member Troxclair was off the dais.**

**The amendment was to remove the \$50,000 for authorization for funding and multiple property searches.**

**Direction for Austin Energy staff was given to come back and explain how this will be done.**

#### **AFTER 10:00 PM**

**The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member Zimmerman's motion, Council Member Renteria's second on a 9-1 vote. Council Member Gallo voted nay. Council Member Troxclair was off the dais.**

#### **PUBLIC HEARINGS CONTINUED**

94. Conduct a public hearing and consider an ordinance amending City Code Title 25 to establish requirements for tenant notification and tenant relocation assistance for certain multi-family and mobile home projects.

**A motion to approve the ordinance as amended below on first reading only was approved on Council Member Renteria's motion, Council Member Kitchen's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Gallo abstained. Council Member Troxclair was off the dais.**

**The amendments were:**

- **To revise 25-1-701(5) to revise the definition of "Mobile Home Park" to read: "MOBILE HOME PARK means a site containing five or more structures that...":**
- **To revise Section 25-1-712 (A)(1) to read: demolish or partially demolish a multi-family building consisting of five or more occupied residential units, including a demolition permit or a building permit that authorizes demolition;**
- **To revise Section 25-1-712(C)(2) to read: include the following information in English, Spanish, and such other language as may be required by the director..."**
- **To strike Paragraph (2)(b) in Section 25-1-714(B), and renumber the remaining paragraphs accordingly.**
- **To revise the period of time in which the relocation fees must be spent from 5 to 10 years in Paragraph (4) of Section 25-1-714(B).**
- **To strike the phrase "and requires proof of a culpable mental state" in Section 25-1-717(B).**

89. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2016-2017 Proposed Budget.

**The public hearing was held and a motion to recess the public hearing was approved on Council Member Casar's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Troxclair was off the dais.**

90. Conduct a public hearing on Austin Resource Recovery's proposed rate and fee changes proposed for the Fiscal Year 2016-2017 Proposed Budget.  
**The public hearing was held and a motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Houston's second on a 10-0 vote. Council Member Troxclair was off the dais.**

#### **DISCUSSION ITEMS CONTINUED**

**Action was taken on item 30 but was reconsidered later in the meeting see below.**

#### **PUBLIC HEARINGS CONTINUED**

91. Conduct a public hearing on the proposed property (ad valorem) tax rate for Fiscal Year 2016-2017.  
**The public hearing was held and a motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Renteria's second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.**
92. Conduct a public hearing to receive public comment regarding the proposed change to the drainage charge as part of the Fiscal Year 2016-2017 proposed budget.  
**The public hearing was held and a motion to close the public hearing was approved on Council Member Zimmerman's motion, Council Member Renteria's second on a 9-0 vote. Council Members Casar and Troxclair were off the dais.**

#### **DISCUSSION ITEMS CONTINUED**

81. Discussion and possible action on the Council Budget Concept Menu.  
**This item was withdrawn without objection.**

#### **DISCUSSION ITEMS CONTINUED**

30. Authorize negotiation and execution of an interlocal agreement with The University of Texas for data collection and analysis in support of programs measuring the effects of youth focused programs in science, technology, engineering, math, creative and entrepreneurial studies, focusing on the growth of a pipeline of quality jobs for youth in poverty in a contract amount not to exceed \$100,000.  
**The motion authorizing negotiation and execution of an interlocal agreement with The University of Texas failed on Council Member Kitchen's motion, Mayor Adler's second on a 4-3 vote. Those voting aye were: Mayor Adler, Council Members Houston, Kitchen and Renteria. Those voting nay were: Mayor Pro Tem Tovo, Council Members Garza and Zimmerman. Council Members Gallo and Pool abstained. Council Members Casar and Troxclair were off the dais.**
- The motion to reconsider and postpone the item was approved on Council Member Pool's motion, Mayor Pro Tem Tovo's second on a 6-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Houston, Kitchen, Pool and Renteria. Those**

**voting nay were: Council Members Garza and Zimmerman. Council Member Gallo abstained. Council Members Casar and Troxclair were off the dais.**

**Mayor Adler adjourned the meeting at 12:36 a.m. without objection.**

**The minutes were approved on this the 1st day of September 2016 on Council Member Pool's motion, Council Member Zimmerman's second on a 10-0 vote. Council Member Troxclair was absent.**