

**AUSTIN CITY COUNCIL
MINUTES****WORK SESSION MEETING
TUESDAY, JUNE 16, 2015**

The City Council of Austin, Texas convened in a Work Session Meeting on Tuesday, June 16, 2015, City Hall at 301 W. Second Street, Austin, Texas.

Mayor Adler called the meeting to order at 9:12 a.m. Council Members Casar and Garza were absent.

A. PRE-SELECTED AGENDA ITEMS

The Mayor introduced the agenda for the June 18, 2015 Council meeting and allowed Council to give input or ask questions on any item posted on the agenda. Staff was available to provide verbal responses to Council questions. Discussion was held on the following items taken from Thursday's agenda.

4. Authorize execution of an interlocal agreement between the City and Travis County for household hazardous waste collection services for County residents who live outside of the incorporated limits of the City.
63. Authorize negotiation and execution of Work Authorization No. 1 under a service contract with CBRE, INC. for facility space programming and analysis, financial analysis, and real estate brokerage services for various City facilities, increasing the contract amount for the current contract period in an amount not to exceed \$490,000, for a total contract amount not to exceed \$688,000. (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 solicitation.)
78. Approve a resolution relating to short-term rentals. (Notes: SPONSOR: Council Member Sheri Gallo CO 1: Mayor Steve Adler CO 2: Council Member Ann Kitchen CO 3: Council Member Sabino "Pio" Renteria CO 4: Council Member Ellen Troxclair)
83. Approve a resolution amending Resolution No. 20140807-114 and directing the City Manager to negotiate and execute an amendment to the existing parkland improvement and use agreement with West Austin Youth Association. (Notes: SPONSOR: Council Member Leslie Pool CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Don Zimmerman)
84. Approve a resolution creating an Austin-Travis County Intergovernmental Working Group and appointing its members to make recommendations regarding a location, governance structure and funding plan for a sobering center and directing the City Manager to return to Council for approval of funding to be incorporated in the Fiscal Year 2016 budget sufficient to advance progress toward establishing a sobriety center.
94. Approve an ordinance relating to permitting requirements for non-peak hour concrete installation within portions of the Central Business District (CBD) and Public (P) zoning districts.

95. Approve a resolution affirming CodeNEXT Approach 2.5, relating to the degree to which the Land Development Code will be amended.
96. Approve an ordinance amending City Code Title 25 changing regulations for secondary dwellings (also known as accessory dwelling units). Related to Item #108.
97. Approve third reading of an ordinance amending City Code Chapters 15-2 and 15-9 relating to the drainage charge. (THE PUBLIC HEARING FOR THIS ITEM WAS HELD AND CLOSED ON MAY 21, 2015).
109. Conduct a public hearing and consider a request by Tiny Boxwoods LLC d/b/a Tiny Boxwoods, located at 1503 W. 35th Street, for a waiver of the distance requirement of City Code Section 4-9-4(A), which requires a minimum of 300 feet between a business that sells alcoholic beverages and a school (District 10).

B. BRIEFINGS

- B.1 Briefing to update Council on the progress in the Council Transition Committee, and identification and discussion of some preferred operating procedures.

A. PRE-SELECTED AGENDA ITEMS CONTINUED

7. Approve an ordinance amending the Fiscal Year 2014-2015 Operating Budget (Ordinance No. 20140908-001) to re-appropriate funds from non-sworn positions vacant 12 months or longer.
13. Authorize negotiation and execution of a professional services agreement with FREESE & NICHOLS INC. dba FREESE & NICHOLS (staff recommendation), or one of the other qualified responders to RFQ Solicitation No. CLMP175, to provide Engineering Services for the Reservoir Improvements Program in an amount not to exceed \$2,000,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9B Minority Owned and Women Owned Business Enterprise Procurement Program by meeting the goals with 15.80% MBE and 15.80% WBE participation.)
17. Authorize negotiation and execution of a professional services agreement with MICHAEL VAN VALKENBURGH and ASSOCIATES to provide architectural and engineering services for the design of the Waller Pavilion in an amount not to exceed \$749,655. (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 9.39% MBE and 5.74% WBE participation.)
18. Authorize negotiation and execution of an amendment to the professional services agreement with FOUND DESIGN LLC, dba MERJE, to provide design services for the Austin Downtown Wayfinding System in the amount of \$144,324 for a total contract amount not to exceed \$463,478. (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 21.08% MBE and 21.96% WBE participation to date.)
30. Authorize a lifetime swim pass and waiver of admission fees to Barton Springs Pool for Lynn C. Cooksey and former Mayor Frank Cooksey.
The policy discussion of lifetime swim passes will be referred to the Open Space, Environment, and Sustainability Committee.
35. Authorize award and execution of a 60-month revenue contract with ALLEN CLICK to provide the cutting, baling, and sale of hay, and the harvest and sale of pecans for Austin Water for an estimated

revenue of \$305,000, with one 60-month extension option with an estimated revenue of \$305,000, for a total estimated revenue amount of \$610,000. (Notes: This contract is exempt as specified in Texas Government Code Chapter 252.022.)

60. Authorize award, negotiation, and execution of 12-month contracts with 360 ENERGY SAVERS, LLC; RAM'S WEATHERIZATION & CONSTRUCTION, LLC; 1st CHOICE ENERGY, LLC; McCULLOUGH HEATING & A/C, INC; ENERGY GUYS; CITY CONSERVATION; AMERICAN CONSERVATION; VALDEZ REMODELING & WEATHERIZATION, INC. (MBE); AMERICAN YOUTHWORKS; CONSERVATION SPECIALISTS OF AUSTIN, LLC; and GREAT AMERICAN INSULATION, INC., or other qualified offerors to Request For Proposal No. OPJ0116, for basic weatherization services in an amount not to exceed \$2,800,000 with four 12-month extension options in an amount not to exceed \$2,800,000 for a total amount not to exceed \$14,000,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)

Direction was given to staff to provide the cost benefit analysis for this program.

87. Set a public hearing to consider an ordinance regarding floodplain variances for the construction of a new single family residence at 6109 Oakclaire Drive as requested by the owner of the property. The property is partially in the 25-year and 100-year floodplain of Gaines Creek, a tributary of Barton Creek (District 8). (Suggested date and time: August 6, 2015, 4:00 p.m. at Austin City Hall, 301 W. Second Street).
93. Approve a resolution relating to expenditure of the Capital Metro 1/4 Cent funds to pay for infrastructure improvements to improve mobility throughout the city. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Sheri Gallo CO 2: Council Member Don Zimmerman CO 3: Council Member Delia Garza)

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:44 p.m.

C. 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.

- C.1 Discuss legal issues relating to the evaluation, negotiation, and award of purchasing contracts and to the Minority-Owned and Women-Owned Business Enterprise Procurement Program (Private consultation with legal counsel - Section 551.071 of the Government Code).
- C.2 Discuss legal issues related to Open Government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
This item was withdrawn.
- C.3 Discuss legal issues related to a challenge petition with the Appraisal Review Board for the Travis Central Appraisal District relating to commercial property values set by the Travis Central Appraisal District. (Private consultation with legal counsel - Section 551.071 of the Government Code).
- C.4 Discuss legal issues related to the Waller Creek Tunnel Project (Private consultation with legal counsel - Section 551.071 of the Government Code).

- C.5 Discuss legal issues related to Mercer et al v. City of Austin et al, Cause No. 1:13-cv-00830, 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 July 26, 2013 officer-involved shooting).
This item was withdrawn.
- C.6 Discuss legal issues related to claims and final completion of Water Treatment Plant No. 4 Project. (Private consultation with legal counsel pursuant to 551.071 of the Government Code).
- C.7 Discuss the negotiation and execution of a lease with Highstar Capital IV, L.P. for up to 30 acres of land at Austin-Bergstrom International Airport and the development of the site as an ultra-low-cost airport terminal (Deliberation regarding economic development negotiations - Section 551.087 of the Government Code and deliberation regarding real property - Section 551.072 of the Government Code).
This item was withdrawn.

Executive Session ended and Mayor Adler called the Council Meeting back to order at 2:54 p.m.

Mayor Adler adjourned the meeting at 2:55 p.m. without objection.

The minutes were approved on this the 6th day of August 2015 on Council Member Zimmerman's motion, Council Member Gallo's second on an 11-0 vote.