



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, MAY 19, 2016**

Invocation: Memorial Day invocation by Major Jeremy Stirm, Operations Chaplain, Texas National Guard; Memorial Day proclamation - Presented by Mayor Steve Adler to Tommy Nolley

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, May 19, 2016 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:25 a.m. Council Member Casar was absent.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of May 10, 2016, budget work session of May 11, 2016 and regular meeting of May 12, 2016.
The minutes from the Austin City Council work session of May 10, 2016, budget work session on May 11, 2016 and regular meeting of May 12, 2016 were approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.
2. Approve Service Extension Request No. 3771 for water service to 1700 Stonebridge Terrace. This site is located within the Drinking Water Protection Zone, the City's limited purpose jurisdiction, and Austin Water's service area.
The motion to approve the service extension request number 3771 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.
3. Approve an ordinance amending City Code Chapter 15-9 relating to single-family residential customer water bill adjustments.
Ordinance No. 20160519-003 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on an 8-2 vote. Those voting aye were: Mayor Adler, Council Members Garza, Gallo, Houston, Kitchen, Pool, Troxclair, and Zimmerman. Those voting nay were: Mayor Pro Tem Tovo and Council Member Renteria. Council Member Casar was absent.

4. Authorize negotiation and execution of an amendment to a reimbursement agreement with Austin-Bergstrom Landhost Enterprises, Inc. for legal and finance professional services related to the Austin-Bergstrom International Airport hotel in the amount of \$150,000 for a total contract amount not to exceed \$505,000 (District 2).
The motion authorizing the 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 Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.
5. Authorize award and execution of a construction contract with M.A. SMITH CONTRACTING COMPANY, INC. for the Riverside Drive Corridor Improvements – 2012 Bond: East Riverside Drive/South Lakeshore Boulevard Intersection Improvements project in the amount of \$774,997 plus a \$38,750 contingency, for a total contract amount not to exceed \$813,747. (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 9.42% MBE and 0.84% WBE participation.)
The motion authorizing award and execution of a construction contract with M.A. Smith Contracting Company, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.
6. Authorize award and execution of a construction contract with PIATRA, INC for the Austin Convention Center - North Side Acoustic Upgrade project in the amount of \$479,764 plus a \$47,976 contingency, for a total contract amount not to exceed \$527,740. (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 14.22% MBE and 85.78% WBE participation.)
The motion authorizing award and execution of a construction contract with Piatra, Inc was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Houston abstained. Council Member Casar was absent.
7. Authorize negotiation and execution of an amendment to the professional services agreement with AECOM TECHNICAL SERVICES INC., for additional engineering services for the Davis Water Treatment Plant Treated Water Discharge System project in the amount of \$3,100,000, using existing funds and authorizing an additional \$2,000,000, for a total contract amount not to exceed \$7,000,000. (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 21.20% MBE and 16.00 % WBE participation.)
The motion authorizing negotiation and execution of an amendment to a professional services agreement with AECOM Technical Services Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Houston abstained. Council Member Casar was absent.
8. Authorize negotiation and execution of a Construction Manager at Risk Agreement with AUSTIN COMMERCIAL, LP, for preconstruction phase services for the parking and office space project at the Austin Bergstrom International Airport, in an amount of \$998,406 with a contingency of \$201,594 for a total contract amount not to exceed \$1,200,000. (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 4.83% MBE and 2.23%

WBE participation for the Preconstruction Phase Services. Prior to entering into the Construction Phase, the City will establish MBE/WBE goals for construction and the Construction-Manager-at-Risk will submit a Compliance Plan meeting the construction goals or documentation detailing their Good Faith Efforts to meet the established goals)

The motion authorizing negotiation and execution of a Construction Manager at Risk Agreement with Austin Commercial, LP was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.

9. Authorize award and execution of a construction contract with MATOUS CONSTRUCTION, LTD., for the South Austin Regional Wastewater Treatment Plant Train A and B Blower Replacement project in the amount of \$22,368,000 plus a \$1,118,400 contingency, for a total contract amount not to exceed \$23,486,400. (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 26.36% MBE and 2.78% WBE participation.)
The motion authorizing award and execution of a construction contract with Matous Construction, LTD was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.
10. Approve the recommendation of the Arts Commission to deaccession the public artwork titled "Unity: Tree of Life" by Barbara Jackson-Poe at the Dove Springs Recreation Center.
The motion approving the recommendation deaccessioning the public artwork titled "Unity: Tree of Life" was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.

Items 11 through 13 were pulled for discussion.

14. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Transportation to relocate and adjust existing water and wastewater lines for the TxDOT-Loop 1 Roadway Improvements Project from Davis Lane to La Crosse Avenue in the amount of \$1,516,735.79 plus a 20% contingency of \$303,347.16 for a total contract amount not to exceed \$1,820,082.95. (Districts 8)
The motion authorizing negotiation and execution of an interlocal agreement with Texas Department of Transportation was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.
15. Authorize negotiation and execution of an interlocal agreement with Travis County to relocate water lines from Decker Lane to FM 973 for a total contract amount not to exceed \$3,970,352.25. (District 1 and the 2-mile extraterritorial jurisdiction).
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 Kitchen's second on a 10-0 vote. Council Member Casar was absent.
16. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Transportation for the relocation and adjustment of existing water lines within the IH 35 Mobility Roadway Improvement Project north and south of 51st Street on the IH 35 southbound frontage road. (Council Districts 4 and 9.)

The motion authorizing negotiation and execution of an interlocal agreement with Texas Department of Transportation was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.

17. Authorize execution of a standard utility agreement with the Texas Department of Transportation for funding of the relocation and adjustment of existing water lines within the IH 35 Mobility Roadway Improvements from north of Oltorf Street to south of Oltorf Street. (Districts 3 and 9). Related to Item #18.

The motion authorizing execution of a standard utility agreement with Texas Department of Transportation was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.

18. Authorize negotiation and execution of an interlocal agreement with the Texas Department of Transportation to construct a new 24-inch water line to relocate and adjust existing lines and appurtenances north and south of Oltorf Street and IH 35, in the amount of \$766,000.00 plus a 20% contingency of \$153,200.00 for a total not to exceed \$919,200.00. (Districts 3 and 9). Related to Item #17.

The motion authorizing negotiation and execution of an interlocal agreement with Texas Department of Transportation was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.

19. Authorize negotiation and execution of a 24-month contract with VIEUX & ASSOCIATES, INC., or one of the other qualified offerors to Request For Proposals SMW0126, to provide a graphical user interface for the Flood Early Warning System, in an amount not to exceed \$469,364 with three 12-month extension options, with the first 12-month extension option in an amount not to exceed \$248,532, the second 12-month extension option in an amount not to exceed \$180,532, and the third 12-month extension option in an amount not to exceed \$180,532, for a total contract amount not to exceed \$1,078,960. (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 Vieux & Associates, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.

20. Authorize negotiation and execution of a 24-month contract with VIEUX & ASSOCIATES, INC., or one of the other qualified offerors to Request For Proposals SMW0127, to provide hydrologic forecast modeling and mapping solution for the Flood Early Warning System, in an amount not to exceed \$435,254, with the three 12-month extension options in an amount not to exceed \$247,127 per extension option, for a total contract amount not to exceed \$1,176,635. (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 Vieux & Associates, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member

Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.

21. Authorize negotiation and execution of three 24-month contracts with SAFWAY HOLDINGS, BRACE INDUSTRIES LLC, and TRAVIS INDUSTRIES, LLC, for scaffolding services in an amount not to exceed \$750,000 each and combined, with two 24-month extension options in the amount of \$375,000 each and combined, for a total contract not to exceed \$1,500,000 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 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 three contracts with Safway Holdings, Brace Industries LLC and Travis Industries, LLC was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.
22. Authorize negotiation and execution of a 72-month contract with BRACE INTEGRATED SERVICES, INC, or one of the other qualified offerors to Request For Proposals NST0408REBID, to provide heat trace and insulation services in an amount not to exceed \$2,500,000. (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 an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with Brace Integrated Services, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.
23. Authorize negotiation and execution of a 60-month contract with SOLAR TURBINES, INC for turbine maintenance and support in an amount not to exceed \$4,636,758. (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 Solar Turbines, Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.
24. Authorize negotiation and execution of a 72-month contract with MPR ASSOCIATES INC, or one of the other qualified offerors to Request For Proposals NST0412, to provide power plant field technical services in an amount not to exceed \$5,000,000. (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 insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)
The motion authorizing negotiation and execution of a contract with MPR Associates Inc was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.
25. Authorize negotiation and execution of a 12-month contract with TITUS SYSTEMS, L.P., or one of the other qualified offerors to Request For Proposals SMW0128REBID, to provide outside

plant fiber expansions and maintenance for the City's telecommunications network in an amount not to exceed \$400,000 with four 12-month extension options in an amount not to exceed \$400,000 per extension option, for a total contract amount not to exceed \$2,000,000. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program through the achievements of good faith efforts with 4.21% MBE participation.)

The motion authorizing negotiation and execution of a contract with Titus Systems, L.P. approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.

Item 26 was pulled for discussion.

27. Authorize negotiation and execution of four 24-month contracts with CHIFUNG ENTERPRISE LLC DBA MIKADO JAPANESE RESTAURANT, CURRY IN HURRY, EM GOURMET LLC, and IVORI'S RESTAURANT 2 HOME SAUCE to provide hot meals for the Asian American Resource Center's Senior Lunch Social Program for total contract amounts not to exceed \$210,600 each and combined, with three 12-month extension options in an amount not to exceed \$105,300 per extension option each and combined, for total contract amounts not to exceed \$526,500 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 goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of four contracts with Chifung Enterprise LLC doing business as Mikado Japanese Restaurant, Curry In Hurry, EM Gourmet LLC and Ivori's Restaurant 2 Home Sauce was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.

28. Authorize negotiation and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE cooperative program with TMC FURNITURE for furniture for the new central library in an amount not to exceed \$1,284,850. (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 solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.)

The motion authorizing negotiation and execution of a contract through the Texas Multiple Award Schedule cooperative program with TMC Furniture was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained. Council Member Casar was absent.

29. Authorize negotiation and execution of a 60-month contract with SP PLUS CORPORATION, or one of the other qualified offerors to Request For Proposals PAX0127, to provide parking operations management services in an amount not to exceed \$2,133,545, with three 12-month extension options in an amount not to exceed \$459,239 for the first extension option, \$470,720 for the second extension option, and \$482,488 for the third extension option, for a total contract amount not to exceed \$3,545,992. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program with 2.11% MBE and 1.78% WBE participation.)

This item was postponed to June 16, 2016 on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.

Items 30 through 32 were pulled for discussion.

33. Authorize negotiation and execution of contracts through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program with ORACLE AMERICA INC. to provide transition, enhancement, upgrade, hosting, software and management services of the City's existing customer information system, in an amount not to exceed \$24,671,170, for the initial 36-month project period, with two 12-month extension options in an amount not to exceed \$8,600,213 for the first extension option and \$8,889,869 for the second extension option, and one 18-month extension option in an amount not to exceed \$13,334,804, for total contract amounts not to exceed \$55,496,056, each and combined. (Notes: This contract was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this contract, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established.) (May 16, 2016 – Unanimously recommended by the Electric Utility Commission.)

The motion authorizing negotiation and execution of contracts through the State of Texas Department of Information Resources cooperative purchasing purchase with Oracle America Inc. was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Zimmerman abstained. Council Member Casar was absent.

34. Approve an ordinance suspending a Gas Reliability Infrastructure Program interim customer surcharge proposed by CenterPoint Energy Resources and requesting reimbursement for expenses to review the rate adjustment.

Ordinance 20160519-034 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on an 8-0 vote. Council Members Troxclair and Zimmerman abstained. Council Member Casar was absent.

35. 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.

This item was postponed to June 23, 2016 on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.

36. Approve an ordinance amending City Code Section 12-4-64(D) to modify the existing 20 miles per hour school zone on a segment of Vargas Road for the safety of students attending Allison Elementary School; and providing for emergency passage. (District 3).

Ordinance 20160519-036 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.

Item 37 was pulled for discussion.

38. Authorize the negotiation and execution of a community facilities agreement with Cityline Companies, LLC, a Texas limited liability company in an amount not to exceed \$1,500,000 to reimburse the company for public storm drain infrastructure improvements the company will construct as part of a development located at 2111 Alexander Avenue. (District 1)

The motion authorizing negotiation and execution of a community facilities agreement with Cityline Companies, LLC was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.

39. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.
The following appointments and waivers were approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.

Nominations

There are no nominations at this time.

Waivers

There are no waivers at this time.

Approval of Universal Changes to Bylaws for the following Boards:

Board of Adjustment

Zoning & Platting Commission

40. Approve an ordinance waiving or reimbursing certain fees and requirements under City Code Chapter 14-8, certain other fees and requirements, and authorizing payment of certain costs for the City co-sponsored Greater East Austin Youth Association's 2016 Juneteenth Parade and Celebration which is to be held on June 18, 2016, along East Martin Luther King, Jr. Boulevard, Comal Street, and Rosewood Avenue with a celebration at Rosewood Park. (Notes: SPONSOR: Council Member Ora Houston CO 1: Mayor Pro Tem Kathie Tovo CO 2: Council Member Gregorio Casar CO 3: Mayor Steve Adler CO 4: Council Member Leslie Pool)
Ordinance 20160519-040 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Casar was absent.

Item 41 and 42 were pulled for discussion.

43. Approve an ordinance waiving or reimbursing certain fees and waiving certain requirements for the Jump On It Summer Series events which will be held on Wednesdays from June 22 to August 10, 2016 at Givens Park. (Notes: SPONSOR: Council Member Ora Houston CO 1: Council Member Gregorio Casar CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Ann Kitchen)
Ordinance 20160519-043 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Casar was absent.
44. Authorize payment or reimbursement of certain costs under City Code Chapter 14-8 for the St. John Unity Walk which was held Saturday, April 30, 2016 at Webb Middle School. (Notes: SPONSOR: Council Member Gregorio Casar CO 1: Council Member Ann Kitchen CO 2: Council Member Leslie Pool CO 3: Mayor Pro Tem Kathie Tovo)
The motion authorizing payment or reimbursement of certain costs under City Code Chapter 14-8 for the St. John Unity Walk was approved on consent on Council Member

Zimmerman's motion, Council Member Kitchen's second on a 9-0 vote. Council Member Troxclair abstained. Council Member Casar was absent.

45. Approve a resolution directing the City Manager to identify potential funding sources for the acquisition of flood- damaged properties in the vicinity of Pinehurst Drive and Wild Dunes Drive in the Oak Creek Subdivision, located in the Upper Onion Creek watershed. (Notes: SPONSOR: Council Member Ann Kitchen CO 1: Council Member Delia Garza CO 2: Council Member Leslie Pool CO 3: Mayor Steve Adler)
Resolution 20160519-045 was approved on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on an 8-1 vote. Council Member Zimmerman voted nay. Council Member Troxclair abstained. Council Member Casar was absent.
46. Set a public hearing to consider an ordinance amending the Imagine Austin Comprehensive Plan by adopting the South Central Waterfront Vision Framework Plan (also known as a Small Area Plan) for the geographic area located just south of downtown and bounded by South First on the west, Blunn Creek to the east, Lady Bird Lake on the north, and East Riverside Drive and Bouldin Creek on the south. (District 9) (Suggested date and time, June 9, 2016 at 4:00 p.m. at Austin City Hall, Council Chambers, 301 W. Second Street, Austin, TX.).
The public hearing was set for June 9, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.
47. Set a public hearing to consider an ordinance amending City Code Chapters 25-2, 25-8, and 30-5, relating to regulation of development along City of Austin lakes. (Suggested date and time: June 9, 2016, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
The public hearing was set for June 9, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.
48. Set a public hearing to consider the expansion of the Austin Downtown Public Improvement District by adding 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. (Suggested date and time: June 23, 2016, 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)
The public hearing was set for June 23, 2016, 4:00 p.m. at 301 W. Second Street, Austin, TX on consent on Council Member Zimmerman's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent.

Item 49 was referred from Council Committees.

Item 50 was a Zoning Ordinances/Restrictive Covenants (Hearings Closed)

Item 51 was a Briefing Item set for 10:30 a.m.

Item 52 was an Executive Session Item.

Items 53 through 59 were Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

DISCUSSION ITEMS

41. Approve a resolution directing the City Manager to identify strategies to support companies seeking to expand an existing or new business to meet the demand for transportation options. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Leslie Pool CO 2: Mayor Steve Adler CO 3: Council Member Ora Houston)

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

An amendment to add an additional “Be It Further Resolved” clause was made by Council Member Troxclair. The amendment was to include:

“BE IT FURTHER RESOLVED

The City Manager is directed to provide a report to the City Council, prior to May 26, 2016, for each TNC company authorized to operate in the City of Austin, that demonstrates, using specific data and information, that each company is fully compliant with Ordinance #20151217-075, including, but not limited to, 13-2-527 (Driver Eligibility – Criminal Background and Driver History Checks), 13-2-516 (Data Reporting Requirements), 13-2-517 (Accessible Vehicle Service).

A TNC company that is not fully compliant with each section of Ordinance #20151217-075 will not be eligible to receive or benefit from City resources.”

Mayor Adler ruled the amendment was not germane to the resolution.

A motion to challenge the ruling issued by Mayor Adler was made by Council Member Zimmerman and seconded by Council Member Troxclair. The motion failed on a 2-8 vote. Those voting aye were: Council Members Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Gallo, Garza, Houston, Kitchen, Pool and Renteria. Council Member Casar was absent.

A motion to divide the question was made by Council Member Troxclair and approved without objection.

The first and second BE IT RESOLVED clauses were approved on Mayor Pro Tem Tovo’s motion, Council Member Renteria’s second on a 10-0 vote. Council Member Casar was absent.

The third BE IT RESOLVED clause was approved on Mayor Pro Tem Tovo’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 absent.

12. Approve an ordinance amending City Code Chapter 9-2 relating to requirements for non-peak hour concrete installation within portions of the Central Business District and Public zoning districts. Related to Item #13.

This item was withdrawn without objection.

13. 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. Related to Item #12.

Ordinance 20160519-013 was approved on Council Member Gallo’s motion, Mayor Pro Tem Tovo’s second on a 10-0 vote. Council Member Casar was absent.

CITIZENS COMMUNICATIONS: GENERAL

Gus Peña - 1) Memorial Day May 30th, 2016 is the day we remember all military veterans who died in combat defending our country and other countries freedom, safety, and democracy. 2) I especially want people to remember Toby Rodriquez, Wiley Guerrero, Booker Lofton, and especially my good friend and classmate at Zavala Elementary, Allan Jr. High, Johnston High Alex Quiroz who was the last infantry man (Army) to die in Vietnam. They gave it their all. I miss you my friends. I will never let people forget about your courage and service to our country. 3) You civilians will have the day off. A lot of us veterans won't. Let our country U.S.A. never forget our heroes United States Marines, Army, Navy, Air Force, National Guard especially our female veterans who died in combat.

Paul Robbins - City and Budget issues.

Norman Jacobson - Drug labeling laws being violated by Coca-Cola. – **Not Present.**

CAROLANNEROSE KENNEDY - #1) TAXI DRIVEN. #2) SICK AND DYING AUSTIN HOMELESS HUMEN REGARDING BURIAL OPTIONS. #3) "there's 50 ways to leave your lover... BUTT: there's 51,000 ways to run them off..."

Will McKinney - TBD.

Will Moore - TBD. **Not present.**

Elizabeth McGreevy - The Better Way for Our Trees: an addendum to the revised city water plan.

Bill Oakey - Proposal for master list, with total cost and prioritization, of all active City plans.

Andrew Garcia - An art project.

Michael Polacheck - Transportation Networks

Mayor Adler recessed the Council Meeting at 12:33 p.m.

Mayor Adler reconvened the Council Meeting at 1:42 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.

52. 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.

DISCUSSION ITEMS CONTINUED

51. Update from the Flood Mitigation Task Force.

The presentation was made by Matthew Rienstra, Chair of Flood Mitigation Task Force.

50. C14-2016-0027 – WhichCraft Beer Store – Approve second and third readings of an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 2110 South Lamar Boulevard, Suite F (West Bouldin Creek Watershed) from general commercial services (CS) district zoning to commercial-liquor sales (CS-1) district zoning. First Reading approved on May 12, 2016. Vote 11-0. Applicant: City of Austin. Owner: Charles Tames. City Staff: Andrew Moore, 512-974-7604.

This item was postponed to June 16, 2016 on Council Member Kitchen's motion, Council Member Pool's second on a 10-0 vote. Council Member Casar was absent.

26. 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 postpone the item was made by Council Member Pool and seconded by Council Member Zimmerman.

A motion was made to refer the item to the Public Safety Commission failed on Council Member Zimmerman's motion, Council Member Troxclair's second on a 3-7 vote. Those voting aye were: Council Members Houston, Troxclair and Zimmerman. Those voting nay were: Mayor Adler, Mayor Pro Tem Tovo, Council Members Gallo, Garza, Kitchen, Renteria, and Pool. Council Member Casar was absent.

This item was postponed to June 9, 2016 on Council Member Pool's motion, Council Member Zimmerman's second on a 9-1 vote. Council Member Renteria voted nay. Council Member Casar was absent.

Items 30 and 31 were acted on in a combined motion.

30. 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 #31. (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.)

This item was postponed to June 9, 2016 on Council Member Zimmerman's motion, Council Member Houston's second on a 10-0 vote. Council Member Casar was absent.

31. 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 #30. (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.)

This item was postponed to June 9, 2016 on Council Member Zimmerman's motion, Council Member Houston's second on a 10-0 vote. Council Member Casar was absent.

11. Approve an ordinance amending the Fiscal Year 2015-2016 Budget Stabilization Reserve Fund Operating Budget (Ordinance No. 20150908-001) to transfer out \$418,000 to the General Fund; and amending the General Fund Operating Budget (Ordinance No. 20150908-001) to transfer in \$418,000 from the Budget Stabilization Reserve Fund Operating Budget (Ordinance No. 20150908-001); and to appropriate \$418,000 to increase expenditures in the Parks and Recreation Department Operating Budget (Ordinance No. 20150908-001) to hire temporary and seasonal staff for the 2016 summer swim season.

Ordinance 20160519-011 was approved on Council Member Pool's motion, Council Member Renteria's second on a 7-1 vote. Council Member Zimmerman voted nay. Council Members Houston and Troxclair abstained. Council Member Casar was absent.

32. Authorize negotiation and execution of a contract with RAFTELIS FINANCIAL CONSULTANTS, INC. to conduct a comprehensive cost of service rate study in an amount not to exceed \$494,474. (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 achievement of good faith efforts with 6.40% WBE participation.)

The motion authorizing negotiation and execution of a contract with Raftelis Financial Consultants, Inc. was approved on Council Member Pool's motion, Council Member Renteria's second on a 9-0 vote. Council Member Houston was off the dais. Council Member Casar was absent.

37. Approve an ordinance on first reading granting a taxicab franchise to ATX Coop Taxi. (April 12, 2016, recommended by the Urban Transportation Commission on a 9-0 vote with Commissioner Mantero abstaining.)

A motion to approve the item on first reading only was made by Council Member Kitchen and seconded by Council Member Gallo.

A motion to amend the ordinance was approved on Council Member Gallo's motion, Council Member Kitchen's second on a 10-0 vote. Council Member Casar was absent. The amendment was to revise Part 2. Fleet Size to read:

PART 2. FLEET SIZE

The franchise holder must maintain an active fleet of at least 25.

The motion to approve the ordinance as amended above on first reading only was approved on Council Member Kitchen's motion, Council Member Gallo's second on a 10-0 vote. Council Member Casar was absent.

42. Approve a resolution providing additional direction to the City Manager with respect to the management of the Housing Trust Fund. (Notes: SPONSOR: Mayor Pro Tem Kathie Tovo CO 1: Council Member Gregorio Casar CO 2: Council Member Sabino "Pio" Renteria CO 3: Council Member Leslie Pool CO 4: Council Member Ora Houston)

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

A motion to postpone the item to June 9, 2016 was approved by on Mayor Adler's motion, Council Member Kitchen second on a 9-1 vote. Mayor Pro Tem Tovo voted nay. Council Member Casar was absent.

49. Approve a resolution directing the City Manager to adopt and implement the Vision Zero Action Plan, which is focused on reducing fatal and serious injury crashes in the City, and provide future reports to Council with analysis of additional resources needed and steps taken to implement the Vision Zero Action Plan. (Notes: Mobility Committee)
A motion to approve the resolution was made by Council Member Kitchen and seconded by Council Member Pool.

A motion to amend the resolution was made by Council Member Houston and accepted without objection. The amendment was to revise the third Be It Resolved clause to read: "The City Manager is directed to identify cases involving drivers with a suspended or no license involved in accidents..."

Resolution 20160519-049 was approved as amended above on Council Member Kitchen's motion, Council Member Pool's second on a 6-1 vote. Council Member Zimmerman voted nay. Council Members Houston and Troxclair abstained. Council Members Garza was off the dais. Council Member Casar was absent.

55. Conduct a public hearing and consider a request by Andy Oliver, agent for Torchy's Tacos, located at 1822 S. Congress Ave., 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 public school. (District 9).
This item was withdrawn.

Mayor Adler recessed the Council Meeting at 5:43 p.m.

LIVE MUSIC

The Potholes

PROCLAMATIONS

Proclamation – Public Works Week – To be presented by Mayor Steve Adler and to be accepted by TBA

Proclamation – Small Business Program / UT Graduation – Business Success Skills Certificate – To be presented by Mayor Steve Adler and to be accepted by TBA and graduates of the Business Skills Success program

Proclamation – Camp Fire Central Texas 50th anniversary – To be presented by Council Member Leslie Pool and to be accepted by Barbara Dunnam, Executive Director, Camp Fire Central Texas

Proclamation - CWO 30th anniversary – To be presented by Mayor Steve Adler and to be accepted by Joe Pantalione, Director, Watershed Protection Department

Proclamation - EMS Week – To be presented by Mayor Steve Adler and to be accepted by TBA

Proclamation - Internal Audit Week – To be presented by Mayor Steve Adler and to be accepted by John Spann and Roland Stautzenberger – **Not Present.**

Proclamation - Meditation Month – To be presented by Mayor Steve Adler and to be accepted by Cathy Bonner, Lauren Foreman and Joene Grissom

Proclamation – Austin Animal Center employees – To be presented by Council Member Sheri Gallo and to be accepted by the honorees

Mayor Adler reconvened the Council Meeting at 7:19 p.m.

DISCUSSION ITEMS

53. Conduct a public hearing and consider an ordinance regarding ATMOS Energy Corporation's proposal to increase customers' gas rates.

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Pool's motion, Council Member Kitchen's second on an 8-0 vote. Council Member Gallo and Garza were off the dais. Council Member Casar was absent.

Ordinance No. 20160519-053 was approved on Council Member Pool's motion, Council Member Kitchen's second on a 7-0 vote. Council Member Troxclair abstained. Council Member Gallo and Garza were off the dais. Council Member Casar was absent.

54. Conduct a public hearing and consider adopting the Vision Zero Action Plan, which is focused on reducing fatal and serious injury crashes in the City.

This item was withdrawn without objection.

56. Conduct a public hearing and consider a request by Thrower Design (Ron Thrower), agent for Lone Star Pizza Garden Inc. (dba Austin Pizza Garden), located at 6266 W. U.S. Hwy. 290, for a waiver from 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 public school. (District 8).

This item was postponed to June 6, 2016 at the request of the applicant on Council Member Gallo's motion, Council Member Houston's second on a 9-0 vote. Council Member Garza was off the dais. Council Member Casar was absent.

57. Conduct a public hearing and consider an ordinance to amend the City Code Title 25 relating to approval of special exceptions by the Board of Adjustment.

The public hearing was conducted and the motion to close the public hearing was approved on Council Member Renteria's motion, Council Member Zimmerman's second on a 9-0 vote. Council Member Garza was off the dais. Council Member Casar was absent.

Ordinance 20160519-057 was approved on Council Member Zimmerman's motion, Council Member Gallo's second on an 8-0 vote. Council Member Garza and Ktichen were off the dais. Council Member Casar was absent.

58. Conduct a public hearing and consider a resolution for the use of dedicated parkland in Williamson County, commonly referred to as Lake Creek Park and Lake Creek Trail Park, located in the Austin extraterritorial jurisdiction, west of Parmer Lane near the intersection of Parmer Lane and Sage Grouse Drive, in Williamson County, Texas, for approximately 9,961 square feet of permanent wastewater line use, approximately 452 square feet of subterranean utility use, approximately 1,747 square feet of public utility use, and approximately 21,947 square

feet of temporary working space use, for the construction, use, maintenance, repair and replacement of wastewater facilities for the Parmer Lane Interceptor Project, in accordance with Chapter 26 of the Texas Parks and Wildlife Code.

The public hearing was conducted and a motion to close the public hearing and approve Resolution 20160519-058 was approved on Council Member Zimmerman's motion, Council Member Houston's second on a 9-0 vote. Council Member Garza was off the dais. Council Member Casar was absent.

59. Conduct a public hearing and consider an ordinance amending City Code Title 25 related to the multifamily residence highest density (MF-6) district zoning regulations.

The public hearing was conducted and a motion to close the public hearing and deny the ordinance was approved on Mayor Pro Tem Tovo's motion, Council Member Pool's second on an 8-0 vote. Council Member Zimmerman abstained. Council Member Garza was off the dais. Council Member Casar was absent.

Mayor Adler adjourned the Council Meeting at 7:44 p.m. without objection.

The minutes were approved on this the 9th day of June 2016 on Council Member Houston's motion, Council Member Pool's second on an 8-0 vote. Mayor Adler, Council Members Garza and Kitchen were absent.