



Thursday, December 01, 2016

The Austin City Council will convene at 10:00 AM on
Thursday, December 01, 2016 at Austin City Hall
301 W. Second Street, Austin, TX



Mayor Steve Adler
Mayor Pro Tem Kathie Tovo, District 9
Council Member Ora Houston, District 1
Council Member Delia Garza, District 2
Council Member Sabino “Pio” Renteria, District 3
Council Member Gregorio Casar, District 4
Council Member Ann Kitchen, District 5
Council Member Don Zimmerman, District 6
Council Member Leslie Pool, District 7
Council Member Ellen Troxclair, District 8
Council Member Sheri Gallo, District 10

For meeting information, contact the City Clerk, (512) 974-2210

The City Council may go into a closed session as permitted by the Texas Open Meetings Act, (Chapter 551 of the Texas Government Code) regarding any item on this agenda.

All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Council Member.

9:55 AM – Invocation

Jeremy Galloway, The Satanic Temple

10:00 AM – City Council Convenes

Consent

Approval of Minutes

1. Approve the minutes of the Austin City Council regular meeting of November 10, 2016, special called of November 16, 2016, discussion of November 17, 2016 and canvassing on November 22, 2016.

Austin Energy

2. Approve issuance of a rebate to Foundation Communities, for performing energy efficiency improvements at the Southwest Trails Apartments located at 8405 Old Bee Caves Road, in an amount not to exceed \$77,064 (District 8).
3. Approve issuance of a rebate to Pleasant Valley Villas Housing LP, for energy efficiency improvements at the Rosemont at Oak Valley Apartments located at 2800 Collins Creek Drive, in an amount not to exceed \$281,259 (District 3).
4. Approve an ordinance authorizing negotiation and execution of a Developer Participation Agreement with Catellus Austin, LLC, for construction services associated with chilled water utilities to serve additional facilities at Mueller, in an amount not to exceed \$3,536,500.
5. Authorize recurring expenditures for electronic subscriptions and professional dues and memberships with multiple agencies and vendors in an amount not to exceed \$619,000.

Austin Water

6. Authorize the negotiation and execution of an amendment to a cost reimbursement agreement with Davey L. Buratti and John M. Buratti to increase the amount of City cost reimbursement by \$2,446,791.75 for a total reimbursement amount not to exceed \$3,207,082.05 for costs associated with the design and construction of oversized wastewater mains and appurtenances that will provide wastewater service to a proposed single-family and multi-

family development located south and west of Bradshaw Road and south of Country Down Drive.

7. Authorize the negotiation and execution of an agreement with OSF West Fifth, LP for the City to reimburse the developer in an amount not to exceed \$67,275.00 for costs associated with the design and construction of an oversized water main and appurtenances that will provide water service to a proposed commercial development located at 1411 W 5th Street. (District 9)

Capital Contracting Office

8. Authorize execution of an amendment to the Indefinite Delivery/Indefinite Quantity construction services contract with BILFINGER WESTCON, INC., for chilled water piping construction in plants and on customer sites, increasing the spending authorization to \$10,000,000 for the initial term of 24 months with one 24-month extension option up to \$3,500,000 for a total contract amount not to exceed \$13,500,000.
(Notes: This was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 10.94% MBE and 1.24% WBE participation.)
9. Authorize execution of a construction contract with INSITUFORM TECHNOLOGIES, LLC, for the Wastewater Collection System Rehabilitation of Lines - Group A project in the amount of \$981,400 plus a \$98,140 contingency, for a total contract amount not to exceed \$1,079,540. (Districts 1, 3, 4, 8, 9, and 10)
(Notes: This contract will be awarded in compliance with City Code Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 5.20% MBE and 6.44% WBE subcontractor participation.)
10. Authorize additional funding for the New Central Library Project Construction Manager at Risk Contract with HENSEL PHELPS CONSTRUCTION COMPANY in the amount of \$5,550,000, for a revised contractual Construction Cost Limitation not to exceed amount of \$126,605,934, for the construction of the New Central Library and Related Improvements including 2nd Street Bridge, Utilities, Roadway Improvements, Shoal Creek Greenbelt Improvements, and the Seaholm Substation Art Wall. (District 9)
(Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) with 7.69% MBE and 3.02% WBE participation to date. Current and Future work packages for Construction Phase Services MBE/WBE goals are: 2.07% African American; 7.26% Hispanic; 0.80% Native/Asian; and 2.44% WBE.)
11. Authorize execution of a construction contract with MATOUS

CONSTRUCTION, LTD, for the South Austin Regional Wastewater Treatment Plant Thickener Improvements project in the amount of \$7,193,700 plus a \$359,685 contingency, for a total contract amount not to exceed \$7,553,385. (District 2)

(Notes: This contract will be awarded in compliance with City Code Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 19.19% MBE and 3.37% WBE subcontractor participation.)

12. Authorize negotiation and execution of an amendment to the Indefinite Delivery/Indefinite Quantity contract with PEABODY CONSTRUCTION, INC. for the Facilities and Force Main Services Indefinite Delivery/Indefinite Quantity-Rebid contract in the amount of \$1,252,665 for a total contract amount not to exceed \$15,580,202.
(Notes: This contract was awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 9.39% MBE and 65.94% WBE participation.)
13. Authorize negotiation and execution of an amendment to the professional services agreement with KENNEDY/JENKS CONSULTANTS, INC. for construction phase services for the Parmer Lane Interceptor project in the amount of \$3,300,000 for a total contract amount not to exceed \$6,800,000. (District 6) Related to Item #14.
(Notes: This contract was awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 17.00% MBE and 16.00% WBE participation.)
14. Authorize execution of a construction contract with SJ LOUIS CONSTRUCTION OF TEXAS, LTD for the Parmer Lane Interceptor project, in the amount of \$24,878,484 plus a \$2,487,848 contingency, for a total contract amount not to exceed \$27,366,332. (District 6) Related to Item #13.
(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 4.31% MBE and 0.81% WBE participation.)

Health and Human Services

15. Authorize negotiation and execution of a 24-month agreement with Capital Area Food Bank, Inc. beginning on January 1, 2017, for the provision of Supplemental Nutrition Food Assistance Program outreach and enrollment services in an amount not to exceed \$200,000.
16. Authorize negotiation and execution of an agreement with Asian Family Support Services of Austin for an 18-month term to provide job training,

financial literacy, education and basic needs services beginning January 1, 2017, in an amount not to exceed \$75,000.

17. Approve an ordinance amending Exhibit A to the Fiscal Year 2016-2017 City of Austin Fee Schedule (Ordinance 20160914-003) to include fees for Central Preparation Facility Registrations and One Day/One Booth Temporary Food Permits, to reactivate fees related to information and certain records requests, and to correct a clerical error to the \$25.00 fee for vending machine permits.

Human Resources

18. Approve a resolution amending the City's Personnel Policies to revise definitions regarding discrimination, harassment, sexual harassment, retaliation, and employee conduct.

Law

19. Approve a settlement payment in Aigner et al v. City of Austin, Cause No. D-1-GN-12-003451, in the 53rd Judicial District for Travis County, Texas.

Management Services

20. Approve a resolution confirming the Interim City Manager's appointment of Assistant Chief of Police Brian Manley as Interim Chief of Police effective December 1, 2016.

Neighborhood Housing and Community Development

21. Approve a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by Harris Ridge Apartments, Ltd., or an affiliated entity, for the new construction of an affordable multi-family development to be located at the southwest corner of Howard Lane and Dessau Road and adjacent to a development serving similar households and that has also received Housing Tax Credits in the last three years. (District 7)
22. Approve a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by Govalle Affordable Housing, L.P., an affiliate of the Cesar Chavez Foundation, for the new construction of an affordable multi-family development to be located near Shady Lane and Jain Lane within the thinkEAST Planned Unit Development. (District 3)

Office of Real Estate Services

23. Approve an ordinance vacating an alley right-of-way located south of West 5th Street between Paul Street and Pressler Street of approximately 2,051

square feet to Matthews-Barnes Brothers Investments LP and approximately 1,022 square feet to Duchy East, LLC (District 9).

24. Authorize the consent to a partition, partial assignment and assumption of a lease agreement between The Austin Symphony Orchestra Society and Waller Creek Conservancy relating to an existing long-term lease on Symphony Square, located at 1101 Red River. (District 9)

Police

25. Authorize the negotiation and execution of an interlocal agreement with the University of Texas at Austin to provide special events services on an as-needed basis.

Purchasing Office

26. Authorize award and execution of a 12-month contract with TRAFFIC LOGIX CORP., to provide rubber speed cushions and rubber curbs, in an amount not to exceed \$400,000, with two 12-month extension options in an amount not to exceed \$200,000 per extension option, for a total contract amount not to exceed \$800,000.

(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.)

27. Authorize negotiation and execution of five contracts through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) for vehicles and equipment with CHASTANG ENTERPRISES, INC. DBA CHASTANG FORD in an amount not to exceed \$236,254, MAGNUM CUSTOM TRAILER MFG CO, INC. in an amount not to exceed \$72,630, TEXAN WASTE EQUIPMENT, INC. DBA HEIL OF TEXAS in an amount not to exceed \$1,559,002, LONGHORN INTERNATIONAL TRUCKS, LTD. in an amount not to exceed \$1,202,250, and SILSBEE FORD, INC. in an amount not to exceed \$4,753,185, for a total amount not to exceed \$7,823,321.

(Notes: This procurement 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 procurement, there were no subcontracting opportunities identified; therefore, no subcontracting goals were established.)

28. Authorize negotiation and execution of four contracts through the HOUSTON-GALVESTON AREA COUNCIL cooperative purchasing program for vehicles with CHASTANG ENTERPRISES DBA CHASTANG FORD in an amount not to exceed \$168,364, FRAZER, LTD.

in an amount not to exceed \$92,100, SANTEX TRUCK CENTER, LTD. in an amount not to exceed \$94,271, and SIDDONSON-MARTIN EMERGENCY GROUP, LLC in an amount not to exceed \$6,687,198, for a total amount not to exceed \$7,041,933.

(Notes: This procurement 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 procurement, there were no subcontracting opportunities identified; therefore, no subcontracting goals were established.)

29. Authorize award and execution of a 60-month contract with BCYCLE, LLC, to expand the Bike-Share Program, for a total contract amount not to exceed \$805,033.

(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 available certified firms; therefore, no subcontracting goals were established.)

30. Authorize negotiation and execution of a 48-month contract with RJN GROUP, INC., or one of the other qualified offerors to Request For Proposals EAD0128, to provide wastewater flow monitoring services, in an amount not to exceed \$5,200,000, with four 12-month extension options in an amount not to exceed \$1,350,000 per extension option, for a total contract amount not to exceed \$10,600,000.

(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.)

31. Authorize award and execution of a 36-month contract with PRINTMAILPRO.COM, to provide citywide printing services, in an amount not to exceed \$1,511,721, with three 12-month extension options in an amount not to exceed \$503,907 per extension option, for a total contract amount not to exceed \$3,023,442.

(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.)

32. Authorize negotiation and execution of a contract through the STATE OF TEXAS PROCUREMENT AND SUPPORT SERVICE cooperative purchasing program with EVENFLO, for child passenger safety seats, in an amount not to exceed \$60,000.

(Notes: This procurement 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 procurement, there was insufficient subcontracting opportunities and an insufficient number of certified M/WBEs; therefore, no subcontracting goals were established.)

33. Authorize negotiation and execution of a 12-month contract with JOHN L. WORTHAM & SON, L.P. DBA WORTHAM INSURANCE AND RISK MANAGEMENT, to provide excess liability insurance broker services and coverage, in an amount not to exceed \$976,198, with six 12-month extension options in an amount not to exceed \$1,025,008 for the first extension option, \$1,055,758 for the second extension option, \$1,087,431 for the third extension option, \$1,120,054 for the fourth extension option, \$1,153,656 for the fifth extension option and \$1,188,266 for the sixth extension option, for a total contract amount not to exceed \$7,606,371.
(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.)

Transportation

34. Approve an ordinance amending City Code Section 12-4-64 (D) to modify existing speed limits on Lamar Boulevard between Parmer Lane and Morrow Street.
35. Approve an ordinance amending City Code Section 12-4-64 (D) to modify existing speed limits on Parmer Lane between Lamar Boulevard and east of Dessau Road.
36. Authorize negotiation and execution of an interlocal agreement with the Capital Metropolitan Transportation Authority for the establishment of a public plaza and a permanent downtown rail station on 4th Street, between Red River Street and Trinity Street, and to conduct the necessary process to establish two-way traffic on 5th Street between IH 35 and Brazos Street.

Item(s) from Council

37. 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.

Item(s) to Set Public Hearing(s)

38. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by Del Valle 969 Apartments, Ltd., or an affiliated entity, for the new

construction of an affordable multi-family development to be located at 14011 FM 969, in the Extraterritorial Jurisdiction of the City of Austin. (Suggested date and time: December 15, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)

39. Set a public hearing to consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by Atlantic Housing Foundation, Inc., or an affiliated entity, for the new construction of an affordable multi-family development to be located at 1621 Fish Lane. (District 7) (Suggested date and time: December 15, 2016 beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.)
40. Set a public hearing to consider an ordinance establishing contract electric rates for certain State of Texas facilities. (Suggested date and time: December 8, 2016, beginning at 4:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX)

Non-Consent

Action on Item(s) with Closed Public Hearings - per City Code Section 2-5-27, additional speakers will not be registered

41. C7a-2016-0009 – Wildhorse/Webb Tract – Approve an ordinance to annex the Wildhorse/Webb Tract annexation area (approximately 104 acres in eastern Travis County at the northeastern corner of the intersection of Decker Lane and Lindell Lane; contiguous to District 1). THE PUBLIC HEARINGS FOR THIS ITEM WERE HELD AND CLOSED ON NOVEMBER 3 AND 10, 2016.

10:00 AM - Zoning and Neighborhood Plan Amendments (Public Hearings and Possible Action)

42. NPA-2016-0013.01 - Bouldin Courts - District 9 - Conduct a public hearing and approve an ordinance amending Ordinance No. 020523-32, the Bouldin Creek Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 908, 1000, & 1002 South 2nd Street (East Bouldin Watershed) from Single Family to Higher Density Single Family land use. Staff Recommendation: To grant Higher Density Single Family land use. Planning Commission Recommendation: To grant Higher Density Single Family land use. Owner/Applicant: PSW Homes, LLC (Jarrod Corbell). City Staff: Maureen Meredith, (512) 974-2695.
43. C14-2016-0077 - Bouldin Courts - District 9 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 900, 904, 908, 1000 & 1002 South 2nd Street and 705

Christopher Street (East Bouldin Creek Watershed) community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning and family residence-neighborhood plan (SF-3-NP) combining district zoning to townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay-neighborhood plan (SF-6-CO-NP) combining district zoning. Agent: PSW Homes (Jarred Corbell). Owner: 1st Street Highlands LP (PSW Homes). City Staff: Andrew Moore, 512-974-7604.

12:00 PM - Citizen Communications: General

Executive Session

44. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).
45. 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).
46. Discuss legal issues related to Breiaon King v. Officer Bryan Richter et al, Cause No. 1:16-cv-01020, in the United States District Court for the Western Division of Texas (Private consultation with legal counsel—Section 551.071 of the Government Code).
47. Discuss legal issues related to the acquisition of an interest in real property located at (1) 110 East 9th Street, (2) the northwest corner of Doris Drive and Hathaway Drive, (3) 1111 West 6th Street, (4) 3908 Avenue B, (5) the northeast corner of Jackie Robinson Street and Tannehill Lane, (6) the southeast portion of 411 East Alpine Road, (7) the east portion of 5101 East 51st Street, (8) 4806 Trail West Drive, (9) 4900 Gonzales Street, and (10) the southwest corner of US Highway 183 and Loyola Lane (Private consultation with legal counsel - Section 551.071 of the Government Code).
48. Discuss the acquisition of an interest in real property located at (1) 110 East 9th Street, (2) the northwest corner of Doris Drive and Hathaway Drive, (3) 1111 West 6th Street, (4) 3908 Avenue B, (5) the northeast corner of Jackie Robinson Street and Tannehill Lane, (6) the southeast portion of 411 East Alpine Road, (7) the east portion of 5101 East 51st Street, (8) 4806 Trail West Drive, (9) 4900 Gonzales Street, and (10) the southwest corner of US Highway 183 and Loyola Lane (Real property - Section 551.072 of the Government Code).

3:00 PM - Austin Housing and Finance Corporation Meeting

49. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene. (The AHFC agenda is temporarily located at <https://austin.siretechnologies.com/sirepub/mtgviewer.aspx?meetid=1321&doctype=Agenda>)

4:00 PM - Public Hearings and Possible Actions

50. Conduct a public hearing and consider an ordinance regarding the Estancia Hill Country Public Improvement District 2017 assessment roll and authorizing the levying of the 2017 assessments.
51. Conduct a public hearing and consider an ordinance regarding the Indian Hills Public Improvement District 2017 assessment roll and authorizing the levying of the 2017 assessments.
52. Conduct a public hearing and consider an ordinance regarding the Whisper Valley Public Improvement District 2017 assessment roll and authorizing the levying of the 2017 assessments.
53. Conduct a public hearing and consider an ordinance regarding the Austin Downtown Public Improvement District 2017 assessment roll and authorize the levying of 2017 assessments.
54. Conduct a public hearing and consider an ordinance regarding the East Sixth Street Public Improvement District 2017 assessment roll and authorize the levying of 2017 assessments.
55. Conduct a public hearing and consider an ordinance regarding the South Congress Preservation and Improvement District 2017 assessment roll and authorize the levying of 2017 assessments.
56. Conduct a public hearing and consider an appeal of an outdoor music venue permit, approved by the Development Services Department, for the Scoot Inn at 1308 E. 4th Street.
57. Conduct a public hearing and consider a resolution supporting an application to be submitted to the Texas Department of Housing and Community Affairs by Harris Ridge Apartments, Ltd., or an affiliated entity, for the new construction of an affordable multi-family development to be located at the Southwest corner of Howard Lane and Dessau Road. (District 7)

5:30 PM - Live Music

Folk Uke

5:30 PM - Proclamations

Proclamation – Colony Park Sustainable Communities Initiative Day – To be presented by Council Member Ora Houston and to be accepted by Laura Toups, Vice President, Urban Design Group

Proclamation – Austin Roll and Stroll Day – To be presented by Council Member Ann Kitchen and to be accepted by Pat Thomas

Presentation - White House Task Force on New Americans Letter of Appreciation - To be presented by Shahram Jamali and Rosha Teimuri of the Austin Career Institute and to be accepted by Mayor Steve Adler and Council Member Leslie Pool

Proclamation - Shop Local for the Holidays – To be presented by Council Member Leslie Pool and to be accepted by Rebecca Melancon, Austin Independent Business Alliance

Certificates of Congratulations – Business Skills Certification graduates – To be presented by Mayor Steve Adler and to be accepted by Sylnovia Holt-Rabb and the course graduates

Presentation – Insurance Services Office recognition of Public Protection Class 1 for the Austin Fire Department and Austin Water Utility – To be presented by State Fire Marshal Chris Connealy and to be accepted by Mayor Steve Adler

Adjourn

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A person may request a Spanish language interpreter be made available by contacting the Office of the City Clerk not later than twenty-four hours before the scheduled time of the item on which the person wishes to speak. Please call (512) 974-2210 in advance or inform the City Clerk's staff present at the council meeting.

Cualquier persona puede solicitar servicios de intérprete en español comunicándose con la oficina del Secretario/a Municipal a no más tardar de veinte y cuatro horas antes de la hora determinada para el asunto sobre el cual la persona desea comentar. Por favor llame al (512) 974-2210 con anticipo o informe al personal del Secretario/a Municipal presente en la sesión del Consejo.