



**City Council Questions and Answers for  
Thursday, October 16, 2014**

These questions and answers are related to the  
Austin City Council meeting that will convene at 10:00 AM on  
Thursday, October 16, 2014 at Travis County Administration Building  
700 Lavaca Street, Commissioners Courtroom, 1st Floor, Austin, TX 78701



**Mayor Lee Leffingwell  
Mayor Pro Tem Sheryl Cole  
Council Member Chris Riley, Place 1  
Council Member Mike Martinez, Place 2  
Council Member Kathie Tovo, Place 3  
Council Member Laura Morrison, Place 4  
Council Member William Spelman, Place 5**

*The City Council Questions and Answers Report was derived from a need to provide City Council Members an opportunity to solicit clarifying information from City Departments as it relates to requests for council action. After a City Council Regular Meeting agenda has been published, Council Members will have the opportunity to ask questions of departments via the City Manager's Agenda Office. This process continues until 5:00 p.m. the Tuesday before the Council meeting. The final report is distributed at noon to City Council the Wednesday before the council meeting.*

## **QUESTIONS FROM COUNCIL**

1. Agenda Item # 5: Authorize negotiation and execution of an amendment to the legal services agreement with Denton, Navarro, Rocha & Bernal, P.C., for legal counsel provided to the Austin Urban Renewal Agency, by increasing funding in the amount of \$15,000 for a total contract amount not to exceed \$72,500.
  - a. QUESTION: Why do we pay for outside counsel rather than COA attorneys for URA? COUNCIL MEMBER SPELMAN
  - b. ANSWER: Under the Texas Urban Renewal statute, Chapter 374 of the Texas Local Government Code, the Urban Renewal Agency is a sovereign body. State law recognizes such an entity as having its own business and corporate identity. The Urban Renewal Agency may exercise many of the same essential governmental powers that a municipality does. Although state law prohibits an urban renewal agency from levying taxes or issuing general obligation bonds, the agency may, independently of the municipality that created it, exercise essential governmental powers and may enter into contracts, acquire real property, conduct renewal projects within its area of operation, and hire its own staff and provide for their compensation. Because of the Urban Renewal Agency's sovereign status, the agency and the municipality that created it do not always agree on issues. To avoid conflicts of interests that may occur if the Law Department represented both the city and the agency, the City provides outside legal counsel for the agency.
2. Agenda Item # 6: Authorize negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple a tract of land totaling approximately 27.11 acres in Travis County, Texas, located at 4507 Brandt Road, from Matthew O'Hayer for a total amount not to exceed \$900,000
  - a. QUESTION: Please define "flood-prone"- does this mean it's in the 25 year flood plain? Or something else? COUNCIL MEMBER SPELMAN
  - b. ANSWER: There are 25 acres of the overall 27.11 acre tract located within the 100 year floodplain located along Onion Creek. It is estimated that there are 17.22 acres within the Critical Water Quality Zone (CWQZ). The property is within the Onion Creek watershed and is considered a Suburban watershed as defined by the City of Austin.
3. Agenda Item # 10: Authorize payment of the City's membership fees for Fiscal Year 2014-2015 to the Greater Austin-San Antonio Corridor Council in an amount not to exceed \$100,000.

- a. QUESTION: Please provide an update on the progress made within the last year on the River City Partnership to provide a network of electric vehicle charging stations between Austin and San Antonio. MAYOR PRO TEM SHERYL COLE
  - b. ANSWER: See attachment
4. Agenda Item # 16: Authorize award and execution of a contract through the Texas Local Government Purchasing Cooperative with CALDWELL COUNTRY CHEVROLET DBA BABY JACK II AUTOMOTIVE, LTD for the purchase of two light-duty vehicles in an amount not to exceed \$64,880. (Notes: This contract will be awarded in compliance with City Code Chapter 2-9D (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.)
  - a. QUESTION: Why does EMS require Tahoes for this purpose and not a smaller, potentially more efficient vehicle? COUNCIL MEMBER SPELMAN
  - b. ANSWER: This item will be withdrawn from the agenda. EMS is going to purchase a smaller, more efficient vehicle. The RCA is expected to be on the 12/11 Council agenda.
5. Agenda Item # 24: Approve a resolution directing the Ethics Review Commission working group and the City Auditor's Integrity Unit to discuss process improvements for conflict of interest allegations against City Boards and Commissions members, and addressing the City Auditor Integrity Unit report on allegations involving a Zero Waste Advisory Commissioner. (Notes: SPONSOR: Council Member Mike Martinez CO 1: Council Member Chris Riley CO 2: Council Member Laura Morrison)
  - a. QUESTION: Please provide an inventory of the ethics complaints against board and commission members over the past two years and if such complaints resulted in findings or actions by either the Auditor's office or the Ethics Commission. MAYOR PRO TEM SHERYL COLE
  - b. ANSWER: See attachment
6. Agenda Item # 28: Approve a resolution directing the City Manager to report back to Council with a timeline for the implementation of strategies to promote the development of family-friendly housing in the City based on recommendations made by the School and Family Work Group, which was created by the Joint Subcommittees of the Austin City Council, Austin Independent School District Board of Trustees, and Travis County Commissioners' Court. (Notes: SPONSOR: Council Member Kathie Tovo CO 1: Council Member Laura Morrison CO 2: Council Member Mike Martinez)

- a. QUESTION: This item, which has been postponed from past agendas and is now to be considered on October 16th, but has a report back date of October 15th. What is a realistic date that staff would recommend for a report back date? MAYOR PRO TEM SHERYL COLE
- b. ANSWER: A report back date of December 11, 2014, has been determined as reasonable by PDR, NHCD, and Public Works to provide a timeline for the implementation of strategies based on recommendations made by the School and Family Work Group, which was created by the Joint Subcommittees of the Austin City Council, Austin Independent School District Board of Trustees, and Travis County Commissioners' Court.

**END OF REPORT - ATTACHMENTS TO FOLLOW**

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

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### Council Question and Answer

Related To	Item # 10	Meeting Date	October 16, 2014
Additional Answer Information			

**QUESTION:** Please provide an update on the progress made within the last year on the River City Partnership to provide a network of electric vehicle charging stations between Austin and San Antonio. MAYOR PRO TEM SHERYL COLE

**ANSWER:**

- The Texas River Cities is primarily working under the branding and follow-up grant called Central Texas Fuel Independence Project that is providing a forum for area utilities, local governments and transportation authorities to ramp up electric vehicle charging across the 10 counties surrounding Austin and San Antonio
- The key deliverable of TRC was a detailed report to provide area stakeholders with a road map to implement EV charging station infrastructure (executive summary here)
- Greater Austin/San Antonio Corridor Council is an acknowledged contributor to the TRC report
- Today, there are now six charging stations in the IH-35 corridor in addition to the charging stations in the cities of Austin and San Antonio
- Pedernales and Bluebonnet Electric Coops, whose service territory includes the IH-35 corridor, have recently hired on a new FTE to manage and ramp up EV adoption in their respective service territories; they are active participants in this forum.



### Council Question and Answer

Related To	Item # 24	Meeting Date	October 16, 2014
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### Additional Answer Information

**QUESTION:** Please provide an inventory of the ethics complaints against board and commission members over the past two years and if such complaints resulted in findings or actions by either a) the Auditor's office or b) the Ethics Commission. MAYOR PRO TEM SHERYL COLE

### ANSWER:

#### a) Auditor's office

Ethics Complaint Against Boards and Commission Members			
Alleg/Case No.	Board & Commission Involved	Issue	Disposition
633	Lake Austin Task Force	Abuse of Position	Closed without investigation, no predication
682	Planning Commission	Conflict of Interest	Closed without investigation, no predication
692 & IN13027	Animal Advisory Commission	Conflict of Interest	Pending
824 & IN14003	Zero Waste Advisory Commission	Conflict of Interest	Allegation Substantiated, Report Issued
902	Civil Service Commission	Conflict of Interest	Closed without investigation, informant failure
935	Historic Landmark Commissioner	Conflict of Interest	Closed without Investigation, no predication

#### b) Ethics Review Commission (ERC)

Issue	Disposition
Conflict of Interest	Closed, ERC voted unanimously that there was no violation.
Lobbyist Registration Requirement	Closed, ERC voted 4-1 that there were not reasonable grounds to proceed.