



**City Council Questions and Answers for
Thursday, June 11, 2015**

These questions and answers are related to the
Austin City Council meeting that will convene at 10:00 AM on
Thursday, June 11, 2015 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

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 # 2 - Authorize negotiation and execution of a lease with Highstar Capital IV, L.P. for up to 30 acres of land at Austin-Bergstrom International Airport to improve, operate, and maintain an ultra-low cost airport terminal for a 30-year term with two 5-year extension options.
 - a. QUESTION: 1) What is the recommendation of the Airport Advisory Commission? 2) When was this item brought to the attention of the Commission? 3) Is an airline's tenancy at a terminal tied to any requisite performance measures set by Highstar IV? 4) How is the Southern Terminal accessed by customers? COUNCIL MEMBER HOUSTON'S OFFICE
 - b. ANSWER: 1) On June 9, 2015, the Airport Advisory Commission recommended authorizing the negotiation and execution of the lease with Highstar by a 5-0 vote. Two members were absent. 2) Aviation staff first briefed the Airport Advisory Commission regarding the possibility of reactivating the south terminal at the May 12, 2015 Airport Advisory Commission meeting. 3) Performance measures are not contemplated at this time. 4) Please see attached map.
2. Agenda Item # 4 - Approve an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple the property located at 11701 Charing Cross Road, in the Barrington Oaks Subdivision, from Dolores Firth and Rodney Firth, in an amount not to exceed \$328,000, subject to the guidelines of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and related federal regulations, and waiving the requirements of City Code Chapter 14-3.
 - a. QUESTION: We understand that there are 5 Charring Cross properties identified as being flood prone but the Firth home was prioritized for relocation because of the ailing elderly resident. Is it also possible that purchasing this one property, removing the structures and creating a retention pond/pocket park might mitigate the danger for the remaining 4 properties? MAYOR ADLER'S OFFICE
 - b. ANSWER: The preliminary engineering report (PER) for the Charing Cross

Storm Drain Improvements project indicated the cost to implement a typical storm drain improvements project to alleviate the flooding which inundates the five houses is about \$6 million, a more expensive option than buyout of the identified properties. The primary reason this property was prioritized for relocation is that it is the lowest elevated of the five houses, and therefore is prone to the most frequent flooding. The five Charing Cross properties are not located in the floodplain but are subject to frequent flooding from localized flood hazards. The project recommendation has been to purchase all five houses in lieu of upgrading the area's storm drain system or elevating the houses. We do not anticipate that the purchase of a single house on Charing Cross will provide an adequate area to fully mitigate the danger to the remaining four Charing Cross properties.

3. Agenda Item # 29 - C14-2015-0010 – 11310 Manchaca Road – District 5 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 11310 Manchaca Road (Slaughter Creek Watershed) from neighborhood commercial-conditional overlay (LR-CO) combining district zoning and limited office-conditional overlay (LO-CO) combining district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning for Tract 2. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use (LO-MU) combining district zoning for Tract 2. Zoning and Platting Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning for Tract 1 and limited office-mixed use (LO-MU) combining district zoning for Tract 2. Owner: KC 4 Manchaca LP (John P. Cummings, Jr.). Applicant: Wolfpack Group, LLC (Louis Wolfson, III). Agent: Drenner Group, PC (Dave Anderson). City Staff: Wendy Rhoades, 512-974-7719.
 - a. QUESTION: A memo dated February 22, 2013 indicated that there are “significant business challenges” with implementation of CAP benefits for customers without individual water meters. Do CAP benefits extend to electric customers on master meters, and if not, would implementation pose an “significant business challenges.” MAYOR PRO TEM TOVO'S OFFICE
 - b. ANSWER: There are very few locations that have electric master meters (less than 20) and they are typically on larger buildings with a mix of commercial and residential tenants. In these situations there is some sort of agreement between the tenants and owners that utilities are not sub-metered and that they pay the owner directly for utilities. Austin Energy (AE) cannot bill for these situations; therefore, CAP benefits cannot be extended to tenants under those arrangements. Again, there are very few locations with master meters. Extending benefits to those customers would pose significant challenges similar to those outlined in the referenced memo as AE is not involved in the arrangements between the owners and tenants besides billing the owner for the master meter.

4. Agenda Item # 43 - C14H-2014-0014 – Bluebonnet Hills Historic District – District 9 – Conduct a public hearing and approve an ordinance amending City Code Chapter 25-2 by rezoning properties bounded by Annie Street on the north, East Side Drive on the east, Leland Street on the south, and Brackenridge Street on the west, and incorporating the south side of the 500 block of E. Annie Street, the 500 block of E. Mary Street, portions of the 400 block of Lockhart Drive, the 500 block of Lockhart Drive, the 300, 400, and 500 blocks of Terrace Drive, the north side of the 300, 400, and 500 blocks of Leland Street, the west side of the 1800, 1900, and 2000 blocks of East Side Drive, the 1900 and 2000 blocks of Newning Avenue, and the portions of the east side of the 1900 and 2000 blocks of Brackenridge Street (Blunn Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning and family residence-historic landmark-neighborhood plan (SF-3-H-NP) combining district zoning to family residence-historic area-neighborhood plan (SF-3-HD-NP) and family residence-historic landmark-historic area-neighborhood plan (SF-3-H-HD-NP) combining district zoning. Staff Recommendation: To grant family residence-historic area-neighborhood plan (SF-3-HD-NP) and family residence-historic landmark-historic area-neighborhood plan (SF-3-H-HD-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant family residence-historic area-neighborhood plan (SF-3-HD-NP) and family residence-historic landmark-historic area-neighborhood plan (SF-3-H-HD-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-historic area-neighborhood plan (SF-3-HD-NP) and family residence-historic landmark-historic area-neighborhood plan (SF-3-H-HD-NP) combining district zoning. Applicant: Michele Webre, Bluebonnet Hills Historic District Team. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department, 512-974-6454.
 - a. QUESTION: Has a postponement request been made for the Bluebonnet Hills Historic District? Has it been heard by the Planning and Neighborhoods Committee? COUNCIL MEMBER ZIMMERMAN'S OFFICE
 - b. ANSWER: We have received a postponement request to August 13, 2015 by Arif Panju. Mr. Panju is also requesting that the case be referred to the Planning and Neighborhoods Committee.
 - c. QUESTION: 1) At the time of the first 2 votes of the Historic Landmark Commission, had the application met the requirement of the Austin Energy Green Builder program? If they did not, did these 2 votes count? 2) Must the application be complete before the Historic Landmark Commission can measure support? Can the Historic Landmark Commission initiate an incomplete application? 3) Has the Historic Landmark Commission ever voted on the application after it met all the requirements at the same time – 51% community support and AE Green Builder? If so, what was the date this vote occurred? 4) After the valid petition was filed and support fell below 51%, at what date did the Historic Landmark Commission get support back over 51%? 5) Is it proper procedure for a Historic Landmark District to use a 1 page form

instead of the City's 4 page form? Was the City's 4 page form used for this application? 6) In the backup material page 19 of the PDF "C14H-2014-0014 – Bluebonnet Hills Historic District–Staff Report" for the Nomination Application Form, I am not seeing "Appendix C. Survey Sheet with Owner Signatures". Please provide these. 7) After the valid petition was delivered and support fell below 51%, did the City approve new forms to measure neighborhood support? If so, did those forms include options to "Oppose" the Historic District? Please provide a sample of this form.

- d. ANSWER: 1-4) The answers to Questions 1 through 4 will be provided to Council from the Law Department as an attorney-client privileged communication. 5) All of the information required by the form was provided, it was simply consolidated onto a single page. 6) The Appendix with the signatures will have been uploaded as back up for this item. 7) The original form the nominating team used had the option to check support or opposed to the district. After the initial submittal the same form was used for additional signatures. The nominating team only provided the signatures of those in support of the district. The duty of the nominating team was to show that they had the required level of support. The form is the same as provided in the response to the above question.

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.*

 *For assistance, please call 512-974-2210 or TTY users route through 711.*

Austin-Bergstrom International Airport

South Terminal Directions

