



**City Council Questions and Answers for
Thursday, April 07, 2016**

These questions and answers are related to the
Austin City Council meeting that will convene at 10:00 AM on
Thursday, April 07, 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

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 # 6: Approve an ordinance amending City Code Chapter 2-2 relating to revision of campaign finance forms.
 - a. QUESTION: Per the answers to the Q&A from the March 31, 2016 Agenda Item # 16, did the Texas Ethics Commission Reports include the information for Sections 2-2-25 and 2-2-42 for the 2015 "Reports Filed by Council Members and Candidates January 15"? COUNCIL MEMBER ZIMMERMAN'S OFFICE
 - b. ANSWER: The reports due on January 15, 2015 did include the appropriate forms required under Sections 2-2-25 and 2-2-42 for the individuals listed on the March 31 Q&A.
2. Agenda Item # 13: Authorize negotiation and execution of a contract with INDOFF, INC., or one of the other qualified offerors to Request For Proposal TVN0057-BP5-Rebid, to provide furniture and fixtures for the New Central Library for a total contract amount not to exceed \$300,915.
 - a. QUESTION: 1) Can we get an itemized breakdown of what is being ordered and the estimated cost of each? 2) Is this in addition to the \$3,522,013 for furniture and fixtures that was authorized under Item 25 on the February 25, 2016 agenda? COUNCIL MEMBER ZIMMERMAN'S OFFICE
 - b. ANSWER: 1) Yes we can provide a list of the items included with quantities; however, the pricing on a Request for Proposal (RFP) is confidential as per Section 252.049 of the local government code. Council Members and/or their staff are welcome to review the contents of the proposals after signing a Non-Disclosure Agreement. See attached list of items with quantities. 2) Yes.
3. Agenda Item # 14: Authorize negotiation and execution of a contract with INDOFF, INC., or one of the other qualified offerors to Request For Proposal TVN0057-BP8-Rebid, to provide furniture and fixtures for the new central library for a total contract amount not to exceed \$287,556.
 - a. QUESTION: 1) Can we get an itemized breakdown of what is being ordered

and the estimated cost of each? 2) Is this in addition to the \$3,522,013 for furniture and fixtures that was authorized under Item 25 on the February 25, 2016 agenda? COUNCIL MEMBER ZIMMERMAN'S OFFICE

- b. ANSWER: 1) Yes we can provide a list of the items included with quantities; however, the pricing on a Request for Proposal (RFP) is confidential as per Section 252.049 of the local government code. Council Members and/or their staff are welcome to review the contents of the proposals after signing a Non-Disclosure Agreement. See attached list of items with quantities. 2) Yes.
4. Agenda Item # 15: Authorize negotiation and execution of a contract with INDOFF, INC. to provide furniture and fixtures for the new central library for a total contract amount not to exceed \$215,876.
- a. QUESTION: 1) Can we get an itemized breakdown of what is being ordered and the estimated cost of each? 2) Is this in addition to the \$3,522,013 for furniture and fixtures that was authorized under Item 25 on the February 25, 2016 agenda? 3) What is the total estimated amount that the New Central Library will spend on furniture and fixtures? COUNCIL MEMBER ZIMMERMAN'S OFFICE
 - b. ANSWER: 1) Yes we can provide a list of the items included with quantities; however, the pricing on a Request for Proposal (RFP) is confidential as per Section 252.049 of the local government code. Council Members and/or their staff are welcome to review the contents of the proposals after signing a Non-Disclosure Agreement. See attached list of items with quantities. 2) Yes. 3) The total estimated budgeted amount for the New Central Library furniture and fixtures is \$5.8 million. Including the three RCAs on the 4/7 agenda, the total requested authorization amount, to date, is \$4,366,131; however the amount is changing as we proceed toward completion.
5. Agenda Item # 16: Authorize award and execution of a 36-month contract with WOODS MAINTENANCE SERVICES, INC., to provide graffiti removal services, in an amount not to exceed \$270,000, with three 12-month extension options in an amount not to exceed \$90,000 per extension option, for a total contract amount not to exceed \$540,000.
- a. QUESTION: 1) Was the Water and Wastewater Commission aware of the protest? 2) Is there any City Department that is performing graffiti removing services? Will this contract be a supplemental contract for City's staff? 3) How many M/WBE vendors are registered and certified by the City for providing graffiti removal services? 4) Will the recommended firm be moving to Austin? 5) Does Woods Maintenance Services, Inc. plan to subcontract? 6) Will this contract pay a fair wage? COUNCIL QUESTIONS FROM THE DAIS ON MARCH 31, 2016.
 - b. ANSWER: 1) The Purchasing Office administrative process for protests does not include the notification of boards and commissions. 2) There are two

programs that address graffiti removal in the City of Austin. One is internal facing for City Facilities and is this contract to remove graffiti on City buildings. It is a maintenance contract for graffiti removal. City maintenance staff will remove graffiti if able but there are no City employees dedicated to graffiti removal for City buildings and this contract is necessary to meet the demand for these services. The second program is a public facing graffiti abatement program in Health and Human Services that responds to 3-1-1 calls and a Mobile Application for the public to report tags and graffiti. This program addresses graffiti in public places and private property. The City's ordinance requires the city to provide free assistance to property owners with graffiti removal. The Health and Human Services Department's Youth Development Program employs young adults ages 17-22 to provide these services. 3) Under the commodity code 96842, for graffiti removal services, there are three certified MBEs and one certified MWBE. 4) It was initially the understanding of the Purchasing Office that Woods Maintenance would be opening a branch in Austin. After further clarification with the Vendor after the March 31st Council meeting, they will not be setting up a branch office (as we define it), but instead they will have at least one full time employee and a storage facility for equipment and supplies in the Austin area. 5) No. According to the recommended contractor, Woods Maintenance Services, Inc., when they were notified that they would be recommended to Council, they reached out to an associate in Austin to help identify prospective employees. This associate contacted several firms in the area, including the City's previous contractor. Woods Maintenance Services Inc. confirmed that they have no intention of subcontracting and that this contact was limited to an employment inquiry only. 6) The solicitation and resulting contract, if awarded, will include the Living Wage requirement of \$13.03 per hour.

6. Agenda Item # 17: Approve an ordinance amending City Code Chapter 13-2 relating to ground transportation passenger services.
 - a. QUESTION: 1) Are jobs requiring a Chauffeur's Permit exempt from the Fair Chance Ordinance that was passed on March 24, 2016 due to "4-15-3. Applicability. B) This chapter does not apply to a job for which a federal, state, or local law disqualifies an individual based on criminal history."? 2) In Ordinance 20151217-075; there were 4 places which called about to be specified/established by a separate ordinance: 13-2-521 (B); 13-2-527 (B); 13-2-527 (D); and 13-2-527 (H). With this new proposed ordinance, does that mean all the above sections are complete? 3) If not, which sections still have not been specified/established by a separate ordinance? 4) Also, please provide the ordinance# for the ones that have been specified/established by a separate ordinance.COUNCIL MEMBER ZIMMERMAN'S OFFICE
 - b. ANSWER: See attachment.
7. Agenda Item # 23: Approve a resolution to create an administrative adjustment policy for Austin Water customers who experience an unexplained increase in water and wastewater usage.

- a. QUESTION: 1) Does staff recommend this measure? Why or why not? 2) Do state laws related to prohibitions against forgiving debt or giving away utility assets have any bearing on this proposal? 3) Please provide a description of the Houston program, including whether that program applies only to unusually high water bills due to leaks or also to high bills not able to be attributed to a particular cause or causes. 4) What other cities provide administrative bill adjustments based on high water usage not attributed to a particular cause? 5) Please provide the cost for administrative hearings for high water bills over the last three years. 6) What is the rationale for this Code amendment from the Austin Water Utility's perspective? 7) The resolution identifies discrepant meter readings as one cause for the high water bills. What other options were or could be explored to address this issue? For example, one constituent has suggested that unusually high bills automatically trigger a review by staff.
MAYOR PRO TEM TOVO'S OFFICE

b. ANSWER: See attachment.

8. Agenda Item # 24: Approve a resolution directing the City Manager to explore the feasibility of increasing the use of bond funds for permanent affordable housing and develop recommendations for increasing home ownership opportunities.

- a. QUESTION: Can you provide us information and the locations of those preservation projects that were being referred to in the work session discussion? COUNCIL MEMBER HOUSTON'S OFFICE


b. ANSWER: See attachment.


9. Agenda Items # 28 and # 29: 28: C14-91-0038(RCA) - 507 W 23rd Street - District 9 - Amend a restrictive covenant as it relates to property locally known as 507 West 23rd Street (Shoal Creek Watershed). Staff Recommendation: To grant the restrictive covenant amendment. Planning Commission Recommendation: To grant the restrictive covenant amendment. Owner/Applicant: Austin City Realty LLC (David Kanne). Agent: Mike McHone Real Estate (Mike McHone). City Staff: Victoria Haase, 512-974-7691. 29) C14H-2015-0007 - Clyde and Henrietta Littlefield House - District 9 - Approve an ordinance amending City Code Chapter 25-2 by rezoning property locally known as 903 Shoal Cliff Court from multifamily residence-moderate-high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning to multifamily residence-moderate-high density-historic landmark-conditional overlay-neighborhood plan (MF-4-H-CO-NP) combining district zoning. Staff Recommendation: To grant multifamily residence-moderate-high density-historic landmark-conditional overlay-neighborhood plan (MF-4-H-CO-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant multifamily residence-moderate-high density-historic landmark-conditional overlay-neighborhood plan (MF-4-H-CO-NP) combining district zoning. Planning Commission Recommendation: To forward to Council without a recommendation. City Staff: Steve Sadowsky, Historic Preservation Office, Planning and Zoning Department,

512-974-6454.

- a. QUESTION: 1) In what ways does city staff monitor development agreements granting additional entitlements to developers in exchange for specific community benefits? Please explain the frequency and methodology of the monitoring process. 2) How can the findings of these reviews be made easily accessible to the public? COUNCIL MEMBER POOL'S OFFICE
- b. ANSWER: If the community benefit is affordable housing, NHCD staff currently secures a restrictive covenant on the property for the units prior to certificate of occupancy. NHCD has an established and detailed Monitoring Plan that we can make available upon request. NHCD has created an Affordable Housing Inventory (AHI) where all development agreements and developer incentive projects will live once the units are confirmed. The AHI will be available to the public on our website.

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.*

Indoff Inc. - Library Furniture Fixtures Breakdown

Bid Package	Item No.	Mfg. & Model No.	Original Qty.	Unit
5	L-03 Lounge	TD	4	Ea
5	L-04AF13 Sectional	WK	1	Ea
5	L-04BF13 Love Seat	WK	1	Ea
5	L-04CF13 Sofa	WK	1	Ea
5	L-09F3 Lounge	ART	15	Ea
5	L-11F33 Lounge	ART	8	Ea
5	L-27A Lounge	PL	7	Ea
5	L-27B Lounge	PL	6	Ea
5	L-27C Lounge	PL	12	Ea
5	L-28 Pouf	PL	15	Ea
5	L-30A Pouf	PL	6	Ea
5	L-30B Pouf	PL	18	Ea
5	Freight/Installation		1	Lot

Indoff Inc. - Library Furniture Fixtures

Bid Package	Item No.	Mfg. & Model No.	Original Qty.	Unit
8	B-01 Bench	ARK	10	Ea
8	B-02 Bench	HT	4	Ea
8	T-02	MOS	10	Ea
8	Cust-02 Info Desk	DW	1	Ea
8	Cust-03 Info Desk	DW	1	Ea
8	Cust-04 Info Desk	DW	1	Ea
8	L-07AF3 Lounge	HT	6	Ea
8	L-07AF6 Lounge	HT	6	Ea
8	L-07BF4 Lounge	HT	2	Ea
8	L-07BF5 Lounge	HT	2	Ea
8	L-23F37 Ottoman	PB	4	Ea
8	OT-03A Side Table	HT	5	Ea
8	OT-03B Side Table	HT	5	Ea
8	OT-04A Occas. Table	HT	9	Ea
8	TR-01A Waste Receptacle	MAG	4	Ea
8	TR-01B Waste Receptacle	MAG	37	Ea
8	TR-02A Waste Receptacle	MAG	4	Ea
8	TR-02B Waste Receptacle	MAG	37	Ea
8	TR-03 Waste Receptacle	RUB	16	Ea
8	TR-04 Waste Receptacle	RUB	9	Ea
8	Freight/Installation		1	Lot

Indoff Inc. - Library Furniture Fixtures

Bid Package	Item No.	Mfg. & Model No.	Original Qty.	Unit
9	C-02A Task Chair	VI	144	Ea
9	C-02B Task Chair	VI	30	Ea
9	C-03A Reader Chair	VI	12	Ea
9	C-03B Reader Chair	VI	20	Ea
9	C-03C Reader Chair	VI	16	Ea
9	C-03D Reader Chair	VI	12	Ea
9	C-07 Chair	FIN	18	Ea
9	C-08 Stool	QM	24	Ea
9	C-17 Stool	QM	13	Ea
9	C-25A Chair	VI	7	Ea
9	C-25B Chair	VI	3	Ea
9	C-25C Chair	VI	4	Ea
9	FL-01 Floor Lamp	AXO	1	Ea
9	FL-02 Floor Lamp	CERNO	10	Ea
9	FL-03 Floor Lamp	AXO	2	Ea
9	ST-06A	BCI	4	Ea
9	ST-06B	BCI	12	Ea
9	ST-07	ERG	17	Ea
9	T-20	WCI or Equal	14	Ea
9	Freight/Installation		1	Lot



Council Question and Answer

Related To	Item #17	Meeting Date	April 7, 2016
Additional Answer Information			

QUESTION: 1) Are jobs requiring a Chauffer's Permit exempt from the Fair Chance Ordinance that was passed on March 24, 2016 due to "4-15-3. Applicability. B) This chapter does not apply to a job for which a federal, state, or local law disqualifies an individual based on criminal history."? 2) In Ordinance 20151217-075; there were 4 places which called about to be specified/established by a separate ordinance: 13-2-521 (B); 13-2-527 (B); 13-2-527 (D); and 13-2-527 (H). With this new proposed ordinance, does that mean all the above sections are complete? 3) If not, which sections still have not been specified/established by a separate ordinance? 4) Also, please provide the ordinance# for the ones that have been specified/established by a separate ordinance. COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER:

1) The "Fair Chance Ordinance" does not apply to jobs for which a federal, state, or local law disqualifies an individual based on criminal history. The proposed ordinance would require a background check, and would disqualify certain individuals based on criminal history. Therefore, the Fair Housing Ordinance would not apply to jobs requiring a chauffer's permit.

2-4)

- 13-2-521 (B) List items that safety inspections for TNC vehicles require – List provided to TNC's, no response
- 13-2-527 (B) Develop penalties for not meeting benchmark goals for TNC's related to finger print driver rates – in discussion, no recommendation at this time.
- 13-2-527 (D) Definition of convictions that would prohibit issuance of chauffer permit – Action before Council on 4/7/16
- 13-2-527 (H) Processes and procedures to incentivize drivers to become compliant – Approved on January 28th by Council – Ordinance number 20160128-092



Council Question and Answer

Related To	Item #23	Meeting Date	April 7, 2016
Additional Answer Information			

QUESTION: 1) Does staff recommend this measure? Why or why not? 2) Do state laws related to prohibitions against forgiving debt or giving away utility assets have any bearing on this proposal? 3) Please provide a description of the Houston program, including whether that program applies only to unusually high water bills due to leaks or also to high bills not able to be attributed to a particular cause or causes. 4) What other cities provide administrative bill adjustments based on high water usage not attributed to a particular cause? 5) Please provide the cost for administrative hearings for high water bills over the last three years. 6) What is the rationale for this Code amendment from the Austin Water Utility's perspective? 7) The resolution identifies discrepant meter readings as one cause for the high water bills. What other options were or could be explored to address this issue? For example, one constituent has suggested that unusually high bills automatically trigger a review by staff. MAYOR PRO TEM TOVO'S OFFICE

ANSWER: 1) Austin Water recommends the resolution directing the City Manager to draft proposed amendments and implement a revised administrative adjustment policy for customers who experience an unexplained increase in water and wastewater usage. A revised administrative adjustment policy would strengthen Austin Water's ability to address residential customers' concerns who experience unexplained or unusually high water bills that can't be attributed to a particular cause.

Austin Water currently has an administrative adjustment policy regarding unusually high water bills in Council approved Resolution No. 20110512-003. However, this existing policy does not provide for standardized methods for qualification, application, and review. The current policy provided only minimal relief for customers on a case by case basis.

During the most recent summer of 2015, Austin Water experienced a significant amount of high water bill complaints from our customers. Discussions and citizen input related to high water bills were heard at the Council's Public Utilities Committee. Some of the concerns from customers were the water usage was unusually high and unexplained. Our current unusually high water bill policy did not provide a standardized method for qualification, application, and review. The proposed code amendments will provide standardized methods for reviewing unusually high water bills and provide specific requirements for customers. For those customers that experience an unusually high water bill, there would be consistency in the application and a standard process for adjustment of their bills. If the customer complies with the process and their water use is judged to be unusually high and unexplained, the customer will receive a credit. This will make the decision process for granting a credit more consistent. Additionally, Austin Water would likely reduce its costs and staff time associated with the administrative hearing process. More of these hearing cases would likely result in an administrative adjustment saving the customer time and effort on preparation for hearings.

2) To be provided in a memo from the Law Department.

3) The City of Houston has a similar adjustment for unusually large water bills. Their program covers single-family residential customers who receive a water bill for any given month that is greater than 200 percent of the customer's average usage. The customer may request an adjustment provided they complete an application within 6 months of receipt of the contested bill. The customer can only request adjustment of one bill in any 12 consecutive months. Upon receiving the application, the City of Houston shall make an investigation to determine if no errors were present but the Utility is unable to actually account for such an unusual quantity, then an adjustment would be provided the

customer. Houston calculates the adjustment by recalculating the bill based on 150% of the average monthly usage for the customer. All the remaining usage above this amount is credited back to the customer.

The City of Houston does have a separate leak adjustment policy. It covers water leaks that are hidden only, such as within a wall, underground, or a toilet tank. Faucets are not considered hidden. Customers may apply for no more than two such adjustments in any 12-month period for any one account. The adjustment is limited to a maximum of three consecutive months. The adjustment calculation is based on the excess usage above the customer's average usage and is charged at a rate that is $\frac{1}{2}$ of the regular rate.

4) In our review of other cities, the only city with a written policy regarding unusually high water bills was the City of Houston. Other Texas cities did not have a written policy, but would provide some adjustments on a case by case basis only.

5) Austin Water has not specifically tracked the cost of administrative hearings for high water bills. In FY 2015, Austin Water had 14 administrative hearing for the entire year. Through half of the year in FY 2016, Austin Water has conducted 66 administrative hearings. We have estimated the average cost of each of these hearings which includes staff time for preparation, follow-up and Hearing Officer costs. The average cost of each hearing is estimated to be \$500. Given this estimate, FY 2015 costs for hearings would be approximately \$7,000. For FY 2016, we have already spent approximately \$33,000 through half of the year. Additionally, in the FY 2015 summer months when Austin Water experienced significant high water bills, Austin Water has estimated the average credit under the proposed amendments for higher use customers above 20,000 gallons would have been given \$388 per customer. The average cost of the administrative hearing process of \$500 is more than the expected average credit.

6) Austin Water currently has an administrative adjustment policy regarding unusually high water bills in Council approved Resolution No. 20110512-003. However, this existing policy does not provide for standardized methods for qualification, application, and review. The current policy provided only minimal relief for customers on a case by case basis.

During the most recent summer of 2015, Austin Water experienced a significant amount of high water bill complaints from our customers. Discussions and citizen input related to high water bills were heard at the Council's Public Utilities Committee. Some of the concerns from customers were that the water usage was unusually high and unexplained. Our current unusually high water bill policy did not provide a standardized method for qualification, application, and review. The proposed code amendments will provide standardized methods for reviewing unusually high water bills and provide specific requirements for customers. For those customers that experience an unusually high water bill, there would be consistency in the application and a standard process for adjustment of their bills. If the customer complies with the process and their water use is judged to be unusually high and unexplained, the customer will receive a credit. This will make the decision process for granting a credit more consistent. Additionally, Austin Water would likely reduce its costs and staff time associated with the administrative hearing process. More of these hearing cases would likely result in an administrative adjustment saving the customer time and effort on preparation for hearings.

7) Austin Energy currently has a process in place where any unusually high water bill of 400% or greater triggers a review prior to the bill even being sent to the customer. Each of these potential high water bills are researched to determine appropriate action such as a reread of the meter, or a field order to proactively identify any leaks. If any meter issues exist which prevent reads being obtained, Austin Water will be dispatched to inspect and repair meters. If the unexplained high water usage remains unexplained after all of these reviews and investigations, the proposed policy amendments would provide the customer with an additional avenue to address their high bill concern.



Council Question and Answer

Related To	Item #24	Meeting Date	April 7, 2016
Additional Answer Information			

QUESTION: Can you provide us information and the locations of those preservation projects that were being referred to in the work session discussion? COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER: Funding to preserve affordable housing assists properties which already have some type of affordability restrictions. Preservation also includes rehabilitation of properties that are considered affordable to low-income households, but currently do not have restrictions to ensure long-term affordability. If these properties receive funding from the Austin Housing Finance Corporation, they will have long-term affordability restrictions placed upon them. Properties with existing affordability restrictions include those financed by Private Activity Bonds and/or Low Income Housing Tax Credits. Another type of income-restricted property is one in which the property has a Housing Assistance Payments (HAP) contract directly with HUD that pays the difference between the actual rent and what the resident can afford to pay.

Properties preserved with HAP contracts:

- Elm Ridge Apartments
- Marshall Apartments
- Oak Creek Village (now called "Lucero")

Property preserved with existing income restrictions through bonds or tax credit financing:

- Sierra Vista Apartments

Properties preserved which are considered affordable but without previous income restrictions:

- Pecan Springs Commons
- Treaty Oaks Apartments
- Cross Creek Apartments

Preservation Projects by Council District:

- District 1:
 - Elm Ridge Apartments, 130 units, 1190 Airport Boulevard
 - Marshall Apartments, 100 units, 1401 East 12th Street and 1157 Salina Street
 - Pecan Springs Commons, 74 units, 5800 Block of Sweeney Circle
- District 3: Sierra Vista Apartments, 238 units, 4320 South Congress Avenue
- District 4: Cross Creek Apartments, 200 units, 1124 Rutland Drive
- District 5: Treaty Oaks Apartments, 47 units, 3700 Manchaca Road
- District 9: Oak Creek Village (Lucero), 173 units, 2324 Wilson Street