

**City Council Questions and Answers for  
Thursday, December 15, 2016**

These questions and answers are related to the  
Austin City Council meeting that will convene at 10:00 AM on  
Thursday, December 15, 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**

Agenda Item # 2: Authorize negotiation and execution of a professional services agreement with the following 10 staff-recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP201: CAS Consulting & SERVICES, INC.; AECOM TECHNICAL SERVICES, INC.; BROWN & GAY ENGINEERS, INC.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: See attachment.

Agenda Item # 3: Authorize negotiation and execution of a professional services agreement with the following 10 staff-recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP202: K FRIESE & ASSOCIATES, INC.; RILEY MOUNTAIN ENGINEERING, LLC DBA OTHON FOWLER, INC., ALAN PLUMMER ASSOCIATES, INC.; THONHOFF CONSULTING ENGINEERS, INC.; HEJL, LEE & ASSOCIATES, INC.; FREESE AND NICHOLS, INC., MWM DESIGN GROUP; WESTON SOLUTIONS, INC.; COBB, FENDLEY & ASSOCIATES, INC.; URBAN DESIGN GROUP PC.; for engineering services for the 2017 Small Diameter Pipeline Engineering Rotation List for an estimated period of three years or until financial authorization is expended, with the total amount not to exceed \$5,000,000 divided among the 10 firms.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: See attachment.

Agenda Item # 4: Authorize execution of a 24-month Indefinite Delivery/Indefinite Quantity construction services contract with Bilfinger Westcon, Inc., for the installation of chilled water piping construction in the right-of-way, in an amount not to exceed \$6,000,000 for an initial 24-month term, with three 12-month extension options for an amount not to exceed \$3,000,000 for each extension option, for a total contract amount not to exceed \$15,000,000.

QUESTION: Can staff provide a detailed report of total expenditures related to the City's chilled water systems and cooling towers for the last 5 years and also provide total revenue made from the chilled water rates over the same period? COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER: See attachment.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: This contract will replace an existing contract with Bilfinger Tepsco, Inc. That was awarded by Council for a not to exceed amount of \$5,146,538.

Agenda Item # 5: Authorize negotiation and execution of a professional services agreement with STANLEY CONSULTANTS, INC., or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP207, to provide engineering services for Austin Energy Electric Service Delivery, for an estimated period of three years, or until financial authorization is expended, for a total amount not to exceed \$6,450,000.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: This contract that will replace the existing contract with – Stanley Consultants that Council awarded for a not to exceed amount of \$4.5M)

Agenda Item # 6: Authorize negotiation and execution of a professional services agreement with JAIME BEAMAN, AIA, INC. dba CASABELLA ARCHITECTS to provide design and planning services for the Emma S. Barrientos Mexican American Cultural Center for a total contract amount not to exceed \$360,000. (District 9)

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the

prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: This is a new Contract with Casabella Architects.

Agenda Item # 7: Authorize negotiation and execution of a professional services agreement with the following five staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP204: WISS, JANNEY, ELSTNER ASSOCIATES; STANLEY CONSULTANTS INC.; STRUCTURES PE, LLP; ENCOTECH ENGINEERING CONSULTANTS INC.; and DATUM ENGINEERS INC, for engineering services for the 2017 Structural Engineering Rotation List for an estimated period of three years or until financial authorization is expended, with the total amount not to exceed \$1,250,000 divided among the five firms.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: See attachment.

Agenda Item # 8: 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.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: This is an existing contract with Peabody Construction, Inc. Council awarded the contract for a not to exceed amount of \$ 4,544,818.00.

Agenda Item # 9: Authorize execution of a construction contract with SMITH CONTRACTING CO., INC for the Gus Garcia District Park Phase 3 Improvements project in the amount of \$925,412.35 plus a \$92,541.24 contingency, for a total contract amount not to exceed \$1,017,953.59. (District 4)

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: This is a new contract for these services. Phase I and II were done in-house by the Parks and Recreation Department.

Agenda Item # 10: Authorize the negotiation and execution of an interlocal agreement with Texas State University at San Marcos to perform a study regarding the implementation of a full-time expired permit and work without permit program, and an organizational assessment of the Document Sales Research Center.

QUESTION: What is the timeframe for this project? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER: There are two scopes of work for this project. The first scope (Expired Permit and Work without Permit Program Assessment) is anticipated to begin on January 2, 2017 and be completed on March 31, 2017. The second scope (Organizational Assessment of Document Sales Research Center) is anticipated to begin on January 2, 2017 and be completed on May 5, 2017.

Although a 10-year term for the Interlocal Agreement (ILA) is requested, the projects being requested will not take 10 years to complete. Rather, the 10-year term allows for future scopes of work to be conducted by Texas State University.

Agenda Item # 12: Authorize negotiation and execution of Amendment No. 1 for the contract with SKILLPOINT ALLIANCE to increase funding by \$137,833 for a revised annual contract amount of \$287,833, for the remainder of the contract term through September 30, 2018, for a contract amount not to exceed \$725,666, with three 12-month extension options in an amount not to exceed \$287,833 for each extension option, for a total contract amount not to exceed \$1,589,165.

QUESTION: Why was this not considered during the budget process? Why are we considering an out of budget increase? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: See attachment.

QUESTION: For each year since 2014; please provide the actual results for the following measures:

Output Measures

- a) Number of unduplicated clients served
- b) Number of clients obtaining employment.

Outcome Measures

- c)Percentage of Gateway participants served who successfully complete (graduate) the program
- d)Percentage of Gateway graduates who obtain employment within time periods specified by the City (80% @ 30 days)
- e)Percentage of Gateway graduates that have maintained

employment for a period specified by the City (65% @ 180 days)

f)Percentage of Gateway graduates who obtain employment at a wage specified by the City (90% @ 12/hr)

COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER: See attachment.

Agenda Item # 13: Authorize negotiation and execution of Amendment No. 1 to the agreement with CAPITAL INVESTING IN DEVELOPMENT & EMPLOYMENT OF ADULTS INC DBA CAPITAL IDEA, INC. to increase funding by \$650,000 annually for a total amount not to exceed \$4,691,950 for the term of the existing contract period of October 1, 2015 through September 30, 2018, with three 12-month extension options in the amount not to exceed \$1,780,650 for each extension option, for a total contract amount not to exceed \$10,033,900.

QUESTION: 1) Please indicated the total amount allotted to Capital Idea during the budget process. 2) What was Capital Idea allotted in the prior year? 3) Why was this item not discussed or handled during the 2016-17 budget development process when Council approved an increase of 300k on top of their current allocation? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: See attachment.

QUESTION: For each year since 2014; please provide the actual results for the following measures:

Output Measures:

- a)Number of unduplicated clients served through all funding sources (893 for all funding sources)
- b)Number of clients obtaining employment.

Outcome Measures:

- a)Percentage of participants seeking employment who obtain employment (90%)
- b)Percentage of clients that retain employment for a period specified by the City (95% @ 6 months)
- c)Percentage of clients who obtain employment at or above target wages levels as specified by the City (90% @ \$12/hr)
- d)Percentage of participants completing College Prep Academy (90%)
- e)Percentage of participants who remain in the program (85%)

COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER: See attachment.

Agenda Item # 35 and # 37: Authorize the negotiation and execution of an 84-

month lease renewal for approximately 3,405 square feet of office space for the Criminal Prosecution Division of the Law Department, located at 723 East 6th Street, Austin, Texas from 723 SIXTH L.C., in an amount not to exceed \$765,483.86 (District 9). # 37: Authorize the negotiation and execution of a lease amendment to add an additional 14,530 square feet of office space for the Austin Transportation Department, located at 3701 Lake Austin Blvd., for 46 months with LOWER COLORADO RIVER AUTHORITY in an amount not to exceed \$1,462,494. (District 10 )

QUESTION: 1) Can these leases be amended or terminated early if city-owned or other space becomes available? 2) Did the real estate department contact AISD, Travis County, and other public entities to inquire about available space before deciding to extend/expand these leases? MAYOR PRO TEM TOVO'S OFFICE

ANSWER: Neither of the proposed leases included an option to amend or terminate early in the event that City-owned or other space became available.

The Office of Real Estate Services has contacted other public entities – including AISD, Travis County, ACC, LCRA, and the State – to inquire about available space at their facilities. Although none was available at the time we decided to extend/expand these particular leases, other City leases are scheduled to expire over the next few years, and we will continue to contact these entities about availability whenever a need arises.

Agenda Item # 39: Authorize negotiation and execution of a 120-month lease agreement for approximately 3,786 square feet of interior restaurant space, 2,065 square feet of covered patio space, and an approximately 789 square foot commercial catering kitchen, within the New Central Library, located at 710 West Cesar Chavez with ELM RESTAURANT GROUP, LLC, with a minimum rental income of \$2,320,174.38 less a tenant improvement allowance not to exceed \$450,000 and brokerage commission payable to CBRE, Inc. in an amount not to exceed \$65,000. (District 9).

QUESTION: Which other restaurants/restaurant groups showed interest in renting this space? What criteria was used to score them and how did each of them score? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER: The Office of Real Estate Services launched a Request for Proposals (RFP) on behalf of the Austin Library, on November 24, 2013 asking for restaurateurs to provide concepts and interest in leasing restaurant space in the New Central Library. The RFP closed on January 31, 2014. There were no respondents to the RFP. Subsequently, the City of Austin hired CBRE, Inc. to broker and market the restaurant space. Eric DeJernett with CBRE, initiated a local and national campaign that ran for four months. CBRE toured the space with three restaurant concepts. Elm Restaurant Group was the only restaurant that had interest in leasing. Elm Restaurant Group has a proven track record for owning and operating local restaurants including: 24 hour Diner, Irene's,

Italic and Easy Tiger. They hire local (over 450 employees), resource local (currently purchase more local produce than any other restaurant group in Austin), have local vendor selection and the owners live in Austin. Zagat has named ELM as one of the nation's best up and coming restaurant groups.

Agenda Item # 41: Authorize negotiation and execution of a 12-month contract through the HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS cooperative purchasing program with NEXTEL OF TEXAS, INC. DBA SPRINT, to provide wireless communication services and equipment, in an amount not to exceed \$70,000, with two 12-month extension options in an amount not to exceed \$70,000 per extension option, for a total contract amount not to exceed \$210,000.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: The recommended Contractor is the current provider of these services. This contract is replacing an existing contract that expires on December 31, 2016. The new authorization amount reflects the actual spend of \$69,149 for the last fiscal year.

Agenda Item # 42: Authorize award and execution of two 24-month contracts with ENTECH SALES AND SERVICE, INC. and SIMPLEX GRINNELL LP DBA SIMPLEXGRINNELL LP, to provide security systems and related services, in an amount not to exceed \$1,106,000 each and combined, with three 12-month extension options in an amount not to exceed \$553,000 per extension option each and combined, for a total contract amount not to exceed \$2,765,000 each and combined.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: The recommended offerors are the current providers for these goods and services. The contract providing services at City Hall will expire on December 12, 2016 with an average yearly spend of \$74,398. The contract providing services at the other Building Services Department (BSD) supported facilities will expire on June 5, 2017 with an average yearly spend of \$108,722 but is running low on funds. Expenditures on both contracts have increased in the last years of the contract. BSD is requesting additional funding to implement planned upgrades and installations to buildings they support.

Agenda Item # 43: Authorize negotiation and execution of a 60-month contract



with TEXAS METER AND DEVICE COMPANY, LLC, to provide installation services for commercial meter replacements, in an amount not to exceed \$3,600,000.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: There is no previous contract for these services. The requested authorization amount is based on estimates of the quantity and types of meters that Austin Energy anticipates to be installed under the contract, as included in the solicitation.

Agenda Item # 44: Authorize negotiation and execution of a 36-month contract with CHARGEPOINT, INC., to provide electric vehicle plug-in charging station software and support services, in an amount not to exceed \$420,000, with two 12-month extension options in an amount not to exceed \$140,000 per extension option, for a total contract amount not to exceed \$700,000.

QUESTION: Can staff provide a detailed report of total expenditures related to Austin Energy's electric vehicle charging stations for the last 5 years and also provide total revenue made from those charging stations over the same period? COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER: See attachment.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: The current contract expires on December 31, 2016 and was for a term of three years with total authorization of \$210,540. The requested authorization for the new contract is based on forecasted growth in the number of charging stations over the term of the contract.

Agenda Item # 45: Authorize negotiation and execution of an interlocal agreement with LAS VEGAS METROPOLITAN POLICE DEPARTMENT to allow for cooperative procurement of goods and services.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: This request is for authorization to enter into an interlocal agreement with the Las Vegas Metropolitan Police Department to allow for the future Cooperative Purchases of goods and services. The City has not previously entered into an interlocal agreement with the Las Vegas Metropolitan Police Department.

QUESTION: What goods and services does APD anticipate using this interlocal to procure? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER: At this time there is no plan for APD to use this Interlocal agreement for any purchases. This agreement is being initiated at the request of the Las Vegas Metropolitan Police Department to allow them to use one or more contracts which the City has in place.

Agenda Item # 46: Authorize negotiation and execution of a 36-month contract with REPUBLIC SERVICES, or one of the other qualified offerors to Request For Proposals SLW0514, to provide citywide refuse, recycling, organics and special waste collections for City facilities, in an amount not to exceed \$7,725,000, with three 12-month extension options in an amount not to exceed \$3,090,000 per extension option, for a total contract amount not to exceed \$16,995,000.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: The recommended offeror is the current provider for these services. Requested authorization amounts were determined using the departments estimated usage for current programs and locations as well as additional planned programs and locations. Also included is Class 2 waste from Austin Energy.

QUESTION: Is there an existing contract for this services? If so, who is it with and what are the terms/conditions of it? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER: Yes, there is an existing contract with Republic Services. It was a 36-month contract with three 12-month extension options.

QUESTION: 1) Is this a single-source contract and if so, why? 2) Please identify by name, address and district the landfills and/or facilities that will receive the refuse, recycling, organics and special waste collections? 3) Are those facilities identified in the contract? If so where? 4) What did the City do in the past to manage biosolid waste? 5) What is the City currently doing to manage biosolids? 6) Does this contract require the qualified responder to produce Dillo Dirt to sell to the public? If not, please identify the locations

where will the biosolids be reused? COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER: 1) No it is not a single source contract. As stated in the RCA, a Request for Proposals (RFP) solicitation was issued and two offers were received. 2) All Municipal Solid Waste will be disposed of at: Waste Management Austin Community Landfill (District 1) 9900 Giles Lane, Austin, TX 78754. All recycling materials will be disposed of at: Balcones Resources (District 1) 9301 Johnny Morris Road, Austin, TX 78724. All organic material will be disposed of at: Organics by Gosh 13602 FM 969, Austin, TX 78724. All Class 2 Special Waste will be disposed of at: Republic Services Tesson Road Landfill (San Antonio) 7000 IH-10 East, San Antonio, TX 78219. These locations will be included in the contract. The contract will include the vendor's proposal which includes the locations.

Agenda Item # 47: Authorize negotiation and execution of a 12-month contract with BENTLEY SYSTEMS, INC., to provide engineering and design software and support, in an amount not to exceed \$134,963.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: The current contract for the Bentley products and services expires January 12, 2017. The authorized spend on the existing contract for the last year of the contract was \$114,036.48. The increase represents increased usage/requirements by the City.

Agenda Item # 48: Authorize negotiation and execution of a 12-month contract with WEST PUBLISHING CORPORATION, for online legal and investigative research tools, in an amount not to exceed \$74,940, with two 12-month extension options in an amount not to exceed \$77,184 for the first extension option, and \$79,500 for the second extension option, for a total contract amount not to exceed \$231,624.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: The current contract for these tools expires December 31, 2016. The City has been contracting with West Publishing since September 2012. The average annual expenditure has been \$72,000. The requested authorization has increased slightly due to the increased number of legal staff licensed users.

Agenda Item # 49: Authorize negotiation and execution of a 60-month contract through the STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES cooperative purchasing program with MARK III SYSTEMS, to provide International Business Machines and Lenovo products and services, including maintenance and support, in an amount not to exceed \$11,500,000.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: The recommended Contractor is one of the current providers for these services. The contract is new and represents a consolidation of purchases of these products and services into a single contract. The requested authorization amounts are based on Austin Energy's forecasted needs for the 60-month term of the contract. Austin Energy's historical spend for these products and services has averaged around \$2,000,000 per year.

Agenda Item # 50: Authorize negotiation and execution of a 12-month contract with CENTRAL TEXAS COMMERCIAL A/C & HEATING INC., to provide temporary rental of portable equipment for power plants and district cooling plants, in an amount not to exceed \$600,000, with four 12-month extension options in an amount not to exceed \$300,000 per extension option, for a total contract amount not to exceed \$1,800,000.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: The recommended offeror is the current provider for these services. The requested authority is based on past usage, planned outages due scheduled plant maintenance, and unanticipated outages due to equipment failure and/or increased capacity requirements.

Agenda Item # 51: Authorize negotiation and execution of a 36-month contract with DOBLE ENGINEERING COMPANY, to provide test equipment and support services, in an amount not to exceed \$330,690, with two 12-month extension options in an amount of \$118,497 for the first extension option and \$121,460 for the second extension option, for a total contract amount not to exceed \$570,647.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the

prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: Austin Energy has standardized on the Doble test equipment since 1991. The recommended contract will replace an existing contract with the same vendor, Doble Engineering Company. The authorized amount of the existing contract is \$63,978 per year. The increase in requested authorization is due to an expansion of services and covered equipment.

Agenda Item # 52: Approve an ordinance waiving Chapter 2-7, Article 6 (Anti-lobbying and Procurement) of the City Code regarding past and future solicitations of Austin Water for the sale and removal of compost materials and the management of biosolids reuse and regarding contracts.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: This request is not for a contract, but for an ordinance waiver.

QUESTION: For the past 5 years, please list the ordinances which City Council has passed that waived Chapter 2-7, Article 6? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER: Council passed Ordinance No. 20141106-058 waiving the anti-lobbying ordinance for solicitation RFQS-8600-TVN0102 for development of the Walter E. Long Golf Course. (link to ordinance - <http://austintexas.gov/edims/document.cfm?id=222753>).

QUESTION: 1) Please explain why Austin Water is requesting that Chapter 2-7, Article 6 (Anti-lobbying and Procurement) of the City Code be waived on past and future solicitations for the removal of compost materials and the management of biosolids reuse and regarding contracts. COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER: Addressed during 12/13/16 Executive Session.

Agenda Item # 53: Authorize negotiation and execution of a 60-month contract with SYNAGRO OF TEXAS-CDR, INC., or one of the other qualified offerors to Request For Proposals CDL2003, for the management of biosolids reuse, in an amount not to exceed \$9,424,778, with five 12-month extension options in an amount not to exceed \$2,185,180 per extension option, for a total contract amount not to exceed \$20,350,678.

QUESTION: Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the

prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

ANSWER: This is replacing a previous contract with Synagro. The previous contract was for composting and land application of biosolids at Hornsby Bend. The proposed contract with Synagro is for the management, processing, and reuse of the biosolids through composting. The previous authorized contract amount is \$13,956,000 over 3 years; the recommended estimated contract amount is \$20,350,678 over 10 years. Austin Water estimates the new contract will save the City over \$1.1 million annually from the previous contract, and will not include land application as a standard process (land application will be an exception and must be approved).

QUESTION: 1) Please identify by name, address and district the landfills and/or facilities that will receive the refuse, recycling, organics and special waste collections? 2) Are those facilities identified in the contract? If so where? 3) What did the City do in the past to manage biosolid waste? 4) What is the City currently doing to manage biosolids? 5) Does this contract require the qualified responder to produce Dillo Dirt to sell to the public? If not, please identify the locations where will the biosolids be reused? 6) What safety regulations are required to determine the reuse of Class A biosolids? COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER: 1) This contract is for the management of biosolids at the City of Austin Hornsby Bend Biosolids Management Plant. The biosolids will be managed through composting 100% onsite. Composting is one of seven EPA approved PFRP's (Process to further reduce pathogens) to treat biosolids to a Class A category. Compost containing Class A biosolids has no restrictions on use and therefore the City does not need to track where it will go after being sold by the contractor. However, in an emergency situation, the City could authorize the contractor to haul Class B biosolids to a permitted site for land application. The sites proposed for use are in Wharton and Colorado Counties. If land application isn't an option then as a last resort option the City can request the contractor take the biosolids to a landfill permitted by TCEQ to accept that type of waste. In the event this ever happens the City will work with the contractor to locate a landfill facility that can accept the waste while minimizing hauling costs. 2) The sites proposed for Class B land application sites are detailed in the TCEQ issued permits located in the contract in Exhibit 2.1 of the proposal. They are in Wharton and Colorado Counties. 3) In the past biosolids have been: land applied on City-owned property, composted and sold as Dillo Dirt, sold as unscreened composted material, sold and given away as Class A biosolids and land applied as Class B biosolids offsite. 4) The City currently is in the holdover phase of a contract for the management of biosolids through land application and composting. 5) Yes, the contractor will make Dillo Dirt and market it to the public. 6) The regulations governing Class A biosolids are in the Texas Administrative Code Title 30 Part 1 Chapter 312 which covers Sludge use, Disposal, and Transportation. (See attached)

Agenda Item # 57: Authorize payment of the City's membership fees for Fiscal Year 2016-2017 to the Greater Austin-San Antonio Corridor, which promotes the region's economic development, in an amount not to exceed \$100,000.

QUESTION: What have been the outcomes of this group? COUNCIL MEMBER ZIMMERMAN'S OFFICE

ANSWER:

The Greater Austin-San Antonio Corridor Council is a public/private, non-profit partnership of political jurisdictions, universities, public authorities and businesses dedicated to long-term infrastructure development, economic development, and regional cooperation among communities along Interstate 35 from San Antonio to Georgetown. The Council serves a non-partisan forum for discussion, research, advocacy and action on issues of regional significance.

Using cooperative comprehensive planning and detailed technical analysis, the Council identifies constraints on economic growth, develops alternatives, and works to fund projects that can benefit the regional economy and quality of life. Recent examples include improvements to Interstate 35, participation in the statewide My 35 Committee and the Incident Management and Safety Task Force on IH-35, development of the State Highway 130 project, and other infrastructure development projects.

The Council has also worked with local parks and wildlife advocates to develop a Regional Greenspace and Trails Plan for the Austin-San Antonio Corridor, a visioning process for inter-connecting the recreational spaces of jurisdictions throughout a 21-county area – continuing our mission to build prosperity, improve quality of life, and save tax dollars through regional cooperation.

#### 2016 Highlights

- Completed work on local city ordinances in San Marcos and New Braunfels to join Austin and San Antonio to create a "Hands Free Corridor" for cell phone use along Interstate 35
- In response to a Request for Expressions of Interest from the Federal Railroad Administration issued in conjunction with the North Texas Council of Governments, developed and submitted a detailed 150-page proposal for implementing High Speed Rail between San Antonio and Dallas. (FRA action expected in 2017)
- Created briefing materials and made presentations to a dozen global infrastructure development/financing/real estate groups on infrastructure opportunities in the IH-35 Corridor

The Greater Austin-San Antonio Corridor Council is currently working on their 2017 Workplan which will include legislative advocacy in the 2017 session for regional infrastructure needs, work to access new Federal infrastructure spending initiative, and connected/autonomous vehicle public policy conference.

Agenda Item # 62: Approve an ordinance waiving and modifying certain City Code requirements for the City South by Southwest conferences and festival to be held March 10-19, 2017.

QUESTION: What is the estimated dollar amount of these fee waivers?  
COUNCIL MEMBER ZIMMERMAN'S OFFICE


ANSWER: Austin Center for Events' staff has begun planning meetings with South by Southwest representatives to review preliminary event logistics and services; however, estimated fees for the 2017 event have not been established.


Agenda Item # 67: Approve an ordinance amending City Code Chapter 13-2 relating to ground transportation driver disqualification.

QUESTION: 1) Can you advise what the appeal process is. I have had several calls about this issue not relating to new drivers but current drivers. This is the most recent. 2) Is there data to tell us how many currently licensed drivers have had their applications rejected, the reasons they were rejected and/or their current license revoked? 3) How do those numbers correspond to new drivers?  
COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER: See attachment.

**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.*





### Council Question and Answer

**Related To**

Item #2

**Meeting Date**

December 15, 2016

### Additional Answer Information

**QUESTION:** Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

**ANSWER:**

1. CAS Consulting & SERVICES, INC. - Renewal
2. AECOM TECHNICAL SERVICES, INC. - Renewal
3. BROWN & GAY ENGINEERS, INC. - Renewal
4. CP&Y, INC New
5. JACOBS ENGINEERING GROUP, INC. - Renewal
6. STANTEC CONSULTING SERVICES INC. - New
7. LOCKWOOD, ANDREWS & NEWNAM, INC. -New
8. BLACK & VEATCH CORPORATION - New
9. CHAN & PARTNERS ENGINEERING, LLC. - New
10. ATKINS NORTH AMERICA – New

Previous authorization 750, 000.00 per firm. Firms replaced: Binkley & Barfield, DAVCAR Engineering, Espey Consultants, Halff Associates, K. Friese & Associates, King Engineering –



### Council Question and Answer

**Related To**

Item #3

**Meeting Date**

December 15, 2016

### Additional Answer Information

**QUESTION:** Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

**ANSWER:**

1. K FRIESE & ASSOCIATES, INC. - New
2. RILEY MOUNTAIN ENGINEERING, LLC DBA OTHON FOWLER, INC. - New
3. ALAN PLUMMER ASSOCIATES, INC. - New
4. THONHOFF CONSULTING ENGINEERS, INC. - New
5. HEJL, LEE & ASSOCIATES, INC. - New
6. FREESE AND NICHOLS, INC. - Renewal
7. MWM DESIGN GROUP - Renewal
8. WESTON SOLUTIONS, INC. - Renewal
9. COBB, FENDLEY & ASSOCIATES, INC. - New
10. URBAN DESIGN GROUP PC – New

Previous Authorization 500,000.00. Firms Replaced: Bury+Partners, Kellogg Brown & Root Services, Kurkjian, Lockwood Andrews & Newnam, Othon Inc, S&B Infrastructure, Vickery & Associates, Weston Solutions

Austin Energy District Cooling – Operational Expenses and Revenue

	2012	2013	2014	2015	2016* (unaudited)
<b>Revenue</b>	<b>\$16,501,570</b>	<b>\$17,434,625</b>	<b>\$17,328,231</b>	<b>\$19,797,643</b>	<b>\$21,604,534</b>
<b>Operations &amp; Maintenance Expenses</b>	<b>\$9,601,544</b>	<b>\$10,865,479</b>	<b>\$10,216,190</b>	<b>\$10,984,415</b>	<b>\$12,973,575</b>
<b>Capital Spending</b>	<b>\$3,539,567</b>	<b>\$8,040,086</b>	<b>\$20,077,202</b>	<b>\$12,124,982</b>	<b>\$10,433,568</b>

Austin Energy is planning a briefing on its District Cooling/Chilled Water Program at an Austin Energy Oversight Committee meeting early in 2017.



### Council Question and Answer

**Related To**

Item #7

**Meeting Date**

December 15, 2016

### Additional Answer Information

**QUESTION:** Please indicate whether this contract is new or replacing/renewing an existing contract. If replacing/renewing, who was the prior (current) vendor? If replacing/renewing, what was the amount of the prior contract for the same/similar service? COUNCIL MEMBER GALLO'S OFFICE

**ANSWER:**

1. WISS, JANNEY, ELSTNER ASSOCIATES - Renewal
2. STANLEY CONSULTANTS INC. – New ;
3. STRUCTURES PE, LLP - New
4. ENCOTECH ENGINEERING CONSULTANTS INC - Renewal
5. DATUM ENGINEERS INC – Renewal

Previous Authorization, 250,000.00 Firms Replaced: Unitech; PE Structural Consultants



### Council Question and Answer

**Related To**

Item #12

**Meeting Date**

December 15, 2016

### Additional Answer Information

**QUESTION:** Why was this not considered during the budget process? Why are we considering an out of budget increase? COUNCIL MEMBER GALLO'S OFFICE

**ANSWER:**

The Economic Development Department budget and associated funds for workforce development programming were discussed and approved by the Council during the annual budget process. With the proposed amendment the Department seeks to apply \$137,833 of approved workforce development funds towards maintaining historical output levels for short-term career and occupational development contracted with Skillpoint Alliance. The remainder (\$150,000) of uncontracted funds is intended for a Request for Proposals solicitation in 2017 to address additional populations and or service gaps in the workforce development service continuum.

The requested amendment does not represent an overall increase to funding for Skillpoint Alliance. The net change in Economic Development Department funding of Skillpoint Alliance, as compared to last year, represents an overall reduction of funding (see chart below).

Net funding change FY16 to FY17	FY2015-2016	FY2016-17	Net change	
WITH proposed amendment	\$437,833	\$287,833	-\$150,000	Less than previous year funding
WITHOUT proposed amendment	\$437,833	\$150,000	-\$287,833	Less than previous year funding





### Council Question and Answer

**Related To**

Item #12

**Meeting Date**

December 15, 2016

### Additional Answer Information

**QUESTION:** For each year since 2014; please provide the actual results for the following measures: Output Measures: a) Number of unduplicated clients served through all funding sources (893 for all funding sources) b) Number of clients obtaining employment. Outcome Measures: a) Percentage of participants seeking employment who obtain employment (90%) b) Percentage of clients that retain employment for a period specified by the City (95% @ 6 months) c) Percentage of clients who obtain employment at or above target wages levels as specified by the City (90% @ \$12/hr) d) Percentage of participants completing College Prep Academy (90%) e) Percentage of participants who remain in the program (85%) COUNCIL MEMBER ZIMMERMAN'S OFFICE

**ANSWER:**

1. For each year since 2014; please provide the actual results for the following measures:

*Output Measures:*

- a) *Number of unduplicated clients served through all funding sources (893 for all funding sources)*
- b) *Number of clients obtaining employment.*

*Outcome Measures:*

- a) *Percentage of participants seeking employment who obtain employment (90%)*
- b) *Percentage of clients that retain employment for a period specified by the City (95% @ 6 months)*
- c) *Percentage of clients who obtain employment at or above target wages levels as specified by the City (90% @ \$12/hr)*
- d) *Percentage of participants completing College Prep Academy (90%)*
- e) *Percentage of participants who remain in the program (85%)*

**ANSWER:**

Included below are output and outcome measures for each year since FY2014-15. The contract in question began in FY16 and was transferred to the Economic Development Department. The previous contract was managed through Austin Public Health (then Health and Human Services Department) and included output and outcome measures different from the current measures. Attached are the output and outcome measures from that previous contract for the years FY15 and FY14.

*Note: FY16 results are not yet complete. Measures may skew low until EDD receives final reporting after the full follow-up period for results has elapsed and final reporting is received.*

**FY2016 Year to Date Performance Summary** (Not yet finalized)

Description	Year-to-Date	
	YTD	Annual Goal
<b>City of Austin Funding</b>		
Number of Unduplicated Gateway Participants Served	44	44
<b>Total Program Performance Data (All Funding)</b>		
Percentage of participants served that graduate Gateway Program	79%	
Percentage of Gateway graduates obtaining employment within 30 days of program completion	77%	80%
Percentage of Gateway graduates who retain employment for 6 months	60%	65%
Percentage of Gateway graduates who obtain employment at \$12.00/hour or more	38%	90%

**FY2014 and FY2015 Performance Summary** (from Austin Public Health records)

<b>Output</b>	<b>FY2014</b>	<b>FY2015</b>
<i>Total Number of Unduplicated Clients Served</i>		
OP1 Annual Goal	70	40
OP1 YTD Total	57*	39
<b>Outcome</b>	<b>FY2014</b>	<b>FY2015</b>
<i>Percentage of Individuals Obtaining Employment</i>		
OC1 Rate Annual Goal	65.04	66.79
OC1 Rate YTD% Achieved	1025%*	106.95%

Notes:

\* Skillpoint had to reconcile data entry from incorrect population after data management system upgrades.



### Council Question and Answer

Related To

Item #13

Meeting Date

December 15, 2016

### Additional Answer Information

**QUESTION:** 1) Please indicated the total amount allotted to Capital Idea during the budget process. 2) What was Capital Idea allotted in the prior year? 3) Why was this item not discussed or handled during the 2016-17 budget development process when Council approved an increase of 300k on top of their current allocation? COUNCIL MEMBER GALLO'S OFFICE

#### ANSWER:

#### *Annual Funding from Economic Development Dept. for Capital IDEA (FY14 - FY17)*

Contract	FY14	FY15	FY16	FY17
Previous Base Contract through HHSD - expired end of FY15	\$1,130,650	\$1,130,650		
Current Contract - beg. FY16 transferred from HHSD to EDD			\$1,130,650	\$1,130,650
FY15 Added from the dais - annual ongoing funding		\$350,000	\$350,000	\$350,000
FY16 Added from the dais as ONE TIME funding expiring end of FY16			\$350,000	---
FY17 Added from the dais - annual ongoing funding				\$300,000
<b>Total Annual EDD Funding for Capital IDEA</b>	<b>\$1,130,650</b>	<b>\$1,480,650</b>	<b>\$1,830,650</b>	<b>\$1,780,650</b>

#### **1. Please indicate the total amount allotted to Capital IDEA during the budget process.**

Total FY 2016-17 EDD budget for Capital IDEA = \$1,780,650 (\$50,000 less than previous FY total)

- Base contract amount of \$1,130,650 awarded through competitive bid by Health and Human Services Dept. (management of contract passed from HHSD to EDD in FY16)
- Includes Council initiated addition of \$350,000 ongoing funding to Capital IDEA beginning in FY15
- Includes Council initiated addition of \$300,000 from FY17 Budget Concept Menu for Capital IDEA added as ongoing funding in the EDD base budget
- Proposed amendment requests contractual authority to deliver allocated funds as directed

#### **2. What was Capital IDEA allotted in the prior year?**

Total FY 2015-16 EDD budget for Capital IDEA = \$1,830,650

- Base contract amount of \$1,130,650 awarded through competitive bid by Health and Human Services Dept. (management of contract passed from HHSD to EDD in FY16)
- Includes Council initiated addition of \$350,000 ongoing funding to Capital IDEA beginning in FY15
- Includes Council initiated addition of \$350,000 one-time funding to Capital IDEA



**3. *Why was this item not discussed or handled during the 2016-17 budget development process when Council approved an increase of 300k on top of their current allocation?***

The increase of \$300,000 was initiated, discussed and approved by the Council as part of the Council budget deliberations in August and September of 2016. The item was initiated through the Council Budget Concept Menu (originally proposed at the level of \$600,000 and approved in the reduced amount of \$300,000) and not initiated through the Economic Development Department. The amount of additional funding approved by the Council through the budget process and added to the EDD budget requires the department to obtain Council approval to negotiate and execute a contract or, as in the case of this item, amend a current contract to allow for the increases. The requested actions are procedural requirements to deliver funds as directed by the FY2016-17 budget and do not represent any new funding.



### Council Question and Answer

**Related To**

Item #13

**Meeting Date**

December 15, 2016

### Additional Answer Information

**QUESTION:** For each year since 2014; please provide the actual results for the following measures: Output Measures: a)Number of unduplicated clients served through all funding sources (893 for all funding sources) b)Number of clients obtaining employment. Outcome Measures: a)Percentage of participants seeking employment who obtain employment (90%) b)Percentage of clients that retain employment for a period specified by the City (95% @ 6 months) c)Percentage of clients who obtain employment at or above target wages levels as specified by the City (90% @ \$12/hr) d)Percentage of participants completing College Prep Academy (90%) e)Percentage of participants who remain in the program (85%) COUNCIL MEMBER ZIMMERMAN'S OFFICE

**ANSWER:**

1. For each year since 2014; please provide the actual results for the following measures:

*Output Measures:*

- a) Number of unduplicated clients served through all funding sources (893 for all funding sources)
- b) Number of clients obtaining employment.

*Outcome Measures:*

- a) Percentage of participants seeking employment who obtain employment (90%)
- b) Percentage of clients that retain employment for a period specified by the City (95% @ 6 months)
- c) Percentage of clients who obtain employment at or above target wages levels as specified by the City (90% @ \$12/hr)
- d) Percentage of participants completing College Prep Academy (90%)
- e) Percentage of participants who remain in the program (85%)

Included below are output and outcome measures for each year since FY2014-15. The contract in question began in FY16 and was transferred to the Economic Development Department. The previous contract was managed through Austin Public Health (then Health and Human Services Department) and included output and outcome measures different from the current measures. Attached are the output and outcome measures from that previous contract for the years FY15 and FY14.

*Note: FY16 results are not yet complete. Measures may skew low until EDD receives final reporting after the full follow up period for results has elapsed and final reporting is received.*

## FY2016 Year to Date Performance Summary (Not yet finalized)

Description	FY16 Year-to-Date	
	YTD	Annual Goal
Number of unduplicated clients served (all funding)	994	858
Number of clients obtaining employment (all funding)	994	
<b>Total Program Performance Data (All Funding)</b>		
Percentage of clients seeking employment who obtain employment	71%	90%
Percentage of clients who retain employment for 6 months	64%	95%
Percentage of clients who obtain employment at \$12.00/hour or more	100%	90%
Percentage of participants completing College Prep Academy	72%	90%
Percentage of participants who remain in the program	88%	85%

## FY2014 and FY2015 Performance Summary (from Austin Public Health records)

<b>Output</b>	<b>FY2014</b>	<b>FY2015</b>
<i>Total Number of Unduplicated Clients Served</i>		
OP1 Annual Goal	246	250
OP1 YTD Total	268	272
<b>Outcome</b>	<b>FY2014</b>	<b>FY2015</b>
<i>Percentage of Individuals Obtaining Employment</i>		
OC1 Rate Annual Goal	42.86	42.86
OC1 Rate YTD% Achieved	84%	90.88%



**SUBCHAPTER B: LAND APPLICATION FOR BENEFICIAL USE  
AND STORAGE AT BENEFICIAL USE SITES**

**§§312.41 - 312.50**

**Effective October 2, 2014**

**§312.41. Applicability.**

(a) Application to land. This subchapter applies to any person who prepares sewage sludge that is applied to the land, to any person who applies sewage sludge to the land, to sewage sludge applied to the land, and to the land on which sewage sludge is applied.

(b) Bulk sewage sludge.

(1) When bulk sewage sludge is applied to the land and meets the metal concentrations in Table 3 of §312.43(b)(3) of this title (relating to Metal Limits), the Class A sewage sludge pathogen requirements in §312.82(a)(3) of this title (relating to Pathogen Reduction), and one of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title (relating to Vector Attraction Reduction), then the provisions of §312.42 of this title (relating to General Requirements) and §312.44 of this title (relating to Management Practices) do not apply with the exception of §312.44(a), (b), (h)(3), (j), and (m) of this title.

(A) When bulk sewage sludge that meets the metal concentrations in Table 3 of §312.43(b)(3) of this title, the Class AB pathogen requirements in §312.82(a)(2) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title, is applied to the land, then §312.44(a), (b), (c)(2)(D) and (E), (d), (h)(1), (3), (5) and (6), (j), (l), and (m) of this title will apply to the land application of sewage sludge.

(B) When bulk sewage sludge that meets the metal concentrations in Table 3 of §312.43(b)(3) of this title, the Class AB pathogen requirements in §312.82(a)(2) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1) - (8) in addition to (9) or (10) of this title, then the requirements in subparagraph (A) of this paragraph do not apply with the exception of §312.44(a), (b), (h)(3), (j), and (m) of this title.

(2) The executive director may apply any or all of §312.42 and §312.44 of this title to the bulk sewage sludge described in this subsection on a case-by-case basis after determining that the general requirements or management practices are needed to protect public health and the environment from any reasonably anticipated adverse effect that may occur from any metal in the bulk sewage sludge.

(c) General Requirements for Bulk Derived Materials.

(1) When derived material from sewage sludge is applied to the land and meets the metal concentrations in Table 3 of §312.43(b)(3) of this title, the Class A pathogen requirements in §312.82(a)(3) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title, then the provisions of §312.42 and §312.44 of this title do not apply with the exception of §312.44(a), (b), (h)(3), (j), and (m) of this title.

(A) When bulk sewage sludge that meets the metal concentrations in Table 3 of §312.43(b)(3) of this title, the Class AB pathogen requirements in §312.82(a)(2) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title is applied to the land, then §312.44(a), (b), (c)(2)(D) and (E), (d), (h)(1), (3), (5), and (6), (j), (l), and (m) of this title will apply to the land application of sewage sludge.

(B) When bulk sewage sludge that meets the metal concentrations in Table 3 of §312.43(b)(3) of this title, the Class AB pathogen requirements in §312.82(a)(2) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1) - (8) in addition to (9) or (10) of this title, is applied to the land, then the requirements in subsection (b)(1)(A) of this section do not apply with the exception of §312.44(a), (b), (h)(3), (j), and (m) of this title.

(2) The executive director may apply any or all of §312.42 and §312.44 of this title to the bulk material described in this subsection on a case-by-case basis after determining that the general requirements or management practices are needed to protect public health and the environment from any reasonably anticipated adverse effect that may occur from any metal in the bulk sewage sludge.

(d) Special Requirements for Certain Bulk Derived Materials. The requirements in this subchapter may not apply when a bulk material derived from sewage sludge is applied to the land; if the sewage sludge from which the bulk material is derived meets the metal concentrations in Table 3 of §312.43(b)(3) of this title the Class A or Class AB pathogen requirements in §312.82(a) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title. The executive director may apply any or all of §312.42 and §312.44 of this title to the bulk derived material on a case-by-case basis after determining that the general requirements or management practices are needed to protect public health and the environment from any reasonably anticipated adverse effect that may occur from any metal in the sewage sludge.

(e) Bagged sludge. Sewage sludge sold or given away in a bag or other container for application to the land. Section 312.42 and §312.44 of this title may not apply when

sewage sludge is sold or given away in a bag or other container for application to the land if the sewage sludge sold or given away in a bag or other container for application to the land meets the metal concentrations in Table 3 of §312.43(b)(3) of this title, the Class A or Class AB pathogen requirements in §312.82(a) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title.

(f) Bagged derived materials. Section 312.42 and §312.44 of this title may not apply when a material derived from sewage sludge is sold or given away in a bag or other container for application to the land if the derived material meets the metal concentrations in §312.43(b) of this title, the Class A or Class AB pathogen requirements in §312.82(a) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title.

(g) Bagged materials. The requirements in this subchapter may not apply when a material derived from sewage sludge is sold or given away in a bag or other container for application to the land if the sewage sludge from which the material is derived meets the metal concentrations in Table 3 of §312.43(b)(3) of this title, the Class A or Class AB pathogen requirements in §312.82(a) of this title, and one of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title.

Adopted September 10, 2014

Effective October 2, 2014

### **§312.42. General Requirements.**

(a) No person shall apply sewage sludge, including domestic septage, to the land except in accordance with the requirements in this subchapter.

(b) No person shall apply sewage sludge that does not meet the metal concentrations in Table 3 of §312.43(b)(3) of this title (relating to Metal Limits) to land where any of the cumulative metal loading rates in Table 2 of §312.43(b)(2) of this title have been reached.

(c) No person shall apply domestic septage to agricultural land, forest, or a reclamation site during a 365-day period where the annual application rate in §312.43(c) of this title has been reached.

(d) The person who applies sewage sludge, including domestic septage, to the land shall obtain information needed to comply with the requirements in this subchapter.

(e) If a treatment works provides bulk sewage sludge to a person who applies the bulk sewage sludge to the land, the treatment works shall provide the person who

applies the bulk sewage sludge to the land notice and necessary information to comply with the requirements in this subchapter.

(f) If a treatment works provides bulk sewage sludge to a person who prepares the bulk sewage sludge for application to the land, the treatment works shall provide the person who prepares the bulk sewage sludge for application to the land notice and necessary information to comply with the requirements in this subchapter.

(g) The person who applies bulk sewage sludge to the land shall provide the owner or lease-holder of the land on which the bulk sewage sludge is applied notice and necessary information to comply with the requirements in this subchapter.

(h) If a treatment works provides sewage sludge to a person who prepares the sewage sludge for sale or give away in a bag or other container for application to the land, the treatment works shall provide the person who prepares the sewage sludge for sale or give away in a bag or other container for application to the land notice and information to comply with the requirements in this subchapter.

(i) The applicant shall determine the concentration of regulated metals in accordance with §312.12(b)(1)(I) of this title (relating to Registrations) and demonstrate to the satisfaction of the commission that the proposed cumulative metal loading will result in a non-toxic condition or reduce the toxicity of the existing soil.

Adopted September 10, 2014

Effective October 2, 2014

### **§312.43. Metal Limits.**

(a) Sewage sludge.

(1) Bulk sewage sludge or sewage sludge sold or given away in a bag or other container shall not be applied to the land if the concentration of any metal in the sewage sludge exceeds the ceiling concentration for the metal in Table 1 of subsection (b) of this section.

(2) If the bulk sewage sludge is applied to agricultural land, forest, a public contact site, or a reclamation site, either:

(A) the cumulative loading rate for each metal shall not exceed the cumulative metal loading rate for the metal in Table 2 of subsection (b) of this section, or

(B) the concentration of each metal in the sewage sludge shall not exceed the concentration for the metal in Table 3 of subsection (b) of this section.



(3) If bulk sewage sludge is applied to a lawn or a home garden, the concentration of each metal in the sewage sludge shall not exceed the concentration for the metal in Table 3 of subsection (b) of this section.

(4) If sewage sludge is sold or given away in a bag or other container for application to the land, either:

(A) the concentration of each metal in the sewage sludge shall not exceed the concentration for the metal in Table 3 in subsection (b) of this section; or

(B) the product of the concentration of the each pollutant in the sewage sludge and the annual sludge application rate for the sewage sludge shall not cause the annual metal loading rate for the metal in Table 4 of subsection (b) of this section to be exceeded. The procedure used to determine the annual whole sludge application rate is presented in §312.49 of this title (relating to Appendix A - Procedure to Determine the Annual Whole Sludge Application Rate for a Sewage Sludge).

(b) Metal concentrations and loading rates - sewage sludge.

(1) Ceiling concentrations.

TABLE 1 - METAL CEILING CONCENTRATIONS

Metal	Concentration (Milligrams per kilogram)*
Arsenic	75
Cadmium	85
Chromium	3000
Copper	4300
Lead	840
Mercury	57
Molybdenum	75
Nickel	420
Selenium	100
Zinc	7500

\* Dry weight basis

(2) Cumulative metal loading rates.

TABLE 2 - CUMULATIVE METAL LOADING RATE

Metal	Cumulative Metal Loading	
	(kilograms per hectare)*	(pounds per acre)*
Arsenic	41	36
Cadmium	39	35
Chromium	3000	2677
Copper	1500	1339
Lead	300	268
Mercury	17	15
Molybdenum	Monitor	Monitor
Nickel	420	375
Selenium	100	89
Zinc	2800	2500

\* Dry weight basis

(3) Metal concentrations.

TABLE 3 - METAL CONCENTRATIONS

Metal	Concentration (Milligrams per kilogram)*
Arsenic	41
Cadmium	39
Chromium	1200
Copper	1500
Lead	300
Mercury	17
Molybdenum	Monitor
Nickel	420
Selenium	36

Zinc 2800

\* Dry weight basis

(4) Annual Metal loading rates.

TABLE 4 - ANNUAL METAL LOADING RATES

Metal	Annual Metal Loading Rate**	
	(kilograms per hectare)*	(pounds per acre)*
Arsenic	2.0	1.8
Cadmium	1.9	1.7
Chromium	150.0	134.0
Copper	75.0	67.0
Lead	15.0	13.0
Mercury	0.85	0.76
Molybdenum	Monitor	Monitor
Nickel	21.0	18.7
Selenium	5.0	4.5
Zinc	140.0	125.0

\* Dry weight basis

\*\* Per 365 day period

(c) Domestic Septage. The annual application rate for domestic septage applied to agricultural land, forest, or a reclamation site shall be equal to or less than the annual application rate calculated using equation 1.

$$AAR = \frac{N}{0.0026} \quad (1)$$

Where:

AAR = Annual application rate in gallons per acre per 365 day period.

N = Amount of nitrogen in pounds per acre per 365 day period needed by the crop or vegetation grown on the land.

Adopted September 26, 1995

Effective October 13, 1995

**§312.44. Management Practices.**

(a) Land application of bulk sewage sludge must not cause or contribute to the harm of a threatened or endangered species of plant, fish, or wildlife or result in the destruction or adverse modification of the critical habitat of a threatened or endangered species.

(b) Bulk sewage sludge must not be applied to agricultural land, forest, a public contact site, or a reclamation site that is flooded, frozen, or snow-covered so that the bulk sewage sludge enters a wetland or other water in the state, except as provided in a permit issued under Chapter 305 of this title (relating to Consolidated Permits) or federal Clean Water Act, §404.

(c) When bulk sewage sludge that does not meet Class A pathogen requirements or domestic septage is applied to agricultural land, forest, or a reclamation site, buffer zones must be established for each application area as noted in this section unless otherwise specified by the commission.

(1) Surface water:

(A) 200-foot buffer zone, if the sludge is not incorporated; for land application sites located in a major sole-source impairment zone this buffer zone must maintain a vegetative cover; or

(B) 33-foot vegetative buffer zone, if the sludge is incorporated.

(2) Other buffer zones:

(A) 150 feet, private water supply well;

(B) 500 feet, public water supply well, intake, spring or similar source, public water supply treatment plant, or public water supply elevated or ground storage tank;

(C) 200 feet, solution channel, sinkhole, or other conduit to groundwater;

(D) 750 feet, established school, institution, business, or occupied residential structure;

(E) 50 feet, public right-of-way and property boundaries; and

(F) 10 feet, irrigation conveyance canal.

(d) Any of the buffers established in subsection (c)(2)(D) and (E) of this section may be reduced or eliminated if an agreement to that effect is signed by the owners of the established school, institution, business, occupied residential structure, or adjacent property and this documentation is provided to the executive director prior to issuance of a permit or registration. Reductions or elimination of buffer zones in an existing permit or registration by agreement of the affected landowner will be considered a minor amendment of the permit or registration.

(e) Bulk sewage sludge must be applied to agricultural land, forest, or a public contact site at a whole sludge application rate that is equal to or less than the agronomic rate for the agricultural land, forest, or public contact site on which the bulk sewage sludge is applied.

(f) Bulk sewage sludge must be applied to a reclamation site at a whole application rate that is equal to or less than the agronomic rate for the reclamation site on which the bulk sewage sludge is applied, unless otherwise specified by the commission. On a case-by-case basis, a whole sludge application rate may exceed the agronomic rate for a specific time period.

(g) Groundwater protection measures.

(1) A seasonal high groundwater table must be not less than three feet below the treatment zone for soils with moderate or slower permeability (less than two inches per hour).

(2) A seasonal high groundwater table must be not less than four feet below the treatment zone for soils with moderately rapid or rapid permeability (greater than two inches per hour and less than 20 inches per hour).

(3) Seasonal generally refers to a groundwater table that may be perched on a less permeable soil or geologic unit and fluctuates with seasonal climatic variation or that occurs in a soil or geologic unit as a variation in saturation due to seasonal climatic conditions and is identified as such in a published soil survey report or similar document.

(4) Application of sludge to land having soils with greater permeability and with higher groundwater tables will be considered on a case-by-case basis, after consideration of soil pH, metal loadings onto the soil, soil buffering capacity, or other protective measures to prevent groundwater contamination.

(h) Sludge must be applied by a method and under conditions that prevent runoff of sewage sludge beyond the active application area and protect the quality of the surface water and the soils in the unsaturated zone.

(1) Sludge must be applied uniformly over the surface of the land.

(2) Sludge may not be applied to areas where permeable surface soils are less than two feet thick. The executive director will consider sites with thinner permeable surface soils, on a case-by-case basis.

(3) Sewage sludge may not be applied during rainstorms or during periods in which surface soils are water-saturated, and when pooling of water is evident on the land application site. The operator of a TCEQ permitted or bulk sewage sludge site subject to the notification requirements in §312.4(b) of this title (relating to Required Authorizations or Notifications) who land applies sewage sludge on agricultural land shall submit an Adverse Weather and Alternative Plan. This plan shall detail procedures to address times when the sewage sludge cannot be applied to the land application site due to adverse weather or other conditions such as wind, precipitation, field preparation delays, and access road limitations.

(4) Sludge may not be applied to areas having topographical slopes in excess of 8.0%. On a case-by-case basis, the executive director will consider sites with steeper slopes when runoff controls are proposed and utilized, incorporation of sewage sludge into the soil occurs, or for certain reclamation projects.

(5) Where runoff of sludge from the active application area is evident, the operator shall cease further sludge application until the condition is corrected.

(6) Sewage sludge may not be applied under provisions of this section on land within a designated floodway.

(i) Either a label must be affixed to the bag or other container in which sewage sludge is sold or given away for application to the land or an information sheet must be provided to the person who receives sewage sludge sold or given away in another container for application to the land. The label or information sheet must contain the following information:

(1) the name and address of the person who prepared the sewage sludge for sale or given away in a bag or other container for application to the land;

(2) a statement that prohibits the application of the sewage sludge to the land except in accordance with the instructions on the label or information sheet; and

(3) the annual whole sludge application rate for the sewage sludge that does not cause the annual metal loading rates in Table 4 of §312.43(b)(4) of this title (relating to Metal Limits) to be exceeded.

(j) Nuisance controls.

(1) A land application site location must be selected and the site operated in a manner to prevent public health nuisances.

(2) Sewage sludge debris must be prevented from blowing or running off site boundaries or into surface waters.

(3) To prevent nuisance conditions from occurring, the operator shall:

(A) minimize dust migration from the site and access roadways;

(B) minimize offensive odors through incorporation of sewage sludge into the soil or by taking some other type of corrective action; and

(C) develop and implement best management practices (BMPs) to minimize off-site tracking of sewage sludge and sediment during the transport of sewage sludge material to and from the land application site or storage area; and to include at a minimum, removing tracked material, to the extent practicable, by the end of each day of operation at the site and either returning it to the site or otherwise disposing of it properly. The documented BMPs shall be retained by the operator and made ~~by~~ readily available for review by a TCEQ representative .

(4) Odor Control . Pursuant to the authority vested in the commission or executive director in §312.6 of this title (relating to Additional or More Stringent Requirements), a person who prepares sewage sludge or land applies sewage sludge on agricultural land may be subject to an Odor Control Plan on a case-by-case basis.

(k) A permit or registration must specify the soil testing requirements for each application area.

(1) The testing frequency must take into account common agricultural methods of determining cover crop nutrient needs, soil pH, phytotoxicity, and concentrations of metals regulated by this chapter.

(2) No authorization may require soil testing of metals regulated by this chapter, at a frequency greater than once per five years or prior to submittal of a renewal application for a beneficial use site. Soil testing for metals regulated by this chapter may not be required for portions of the authorized site where sewage sludge has not been applied since the last soil metals testing was performed.

(3) Paragraph (2) of this subsection does not apply if the executive director becomes aware of circumstances warranting increased monitoring of metals regulated by this chapter, in order to address sites where metal loading into the soil is a threat to human health or environmental quality.

(l) An operator of a Class AB or Class B sewage sludge site shall post a sign that is visible from a publically accessible road or sidewalk that is adjacent to the premises on which the land application unit is located stating that a sewage sludge beneficial land application site is located on the premises. The sign shall be posted three days prior to and 14 days after the commencement of land application of sewage sludge and shall include the operator name, telephone number, the classification of sewage sludge and the TCEQ authorization number. In the event of reasonably unforeseen circumstances such as weather conditions or equipment failure that necessitate a change in a planned land application site, the required sign may be posted on the day on which sewage sludge land application commences. If signs are posted less than three days prior to land application, records shall be maintained documenting the unforeseeable circumstance that necessitated the change in a planned land application site. Such records shall be retained by the operator and be readily available for review by a TCEQ representative. Records of any deviation of the posting requirements listed in this subsection and associated reasons shall be retained by the operator and be readily available for review by a TCEQ representative.

(m) All vehicles and equipment used for the transport of bulk Class A, Class AB or Class B sewage sludge for land application or disposal shall be constructed, operated, and maintained to prevent the loss of liquid or solid materials during transport. An operator of a Class A, Class AB or Class B bulk sewage sludge site may not accept bulk sewage sludge, unless the sludge is transported to the land application unit in a covered container with the covering firmly secured at the front and back.

Adopted September 10, 2014

Effective October 2, 2014

**§312.45. Operational Standards--Pathogens and Vector Attraction.**



(a) Pathogens.

(1) The Class A or Class AB sewage sludge pathogen requirements in §312.82(a) of this title (relating to Pathogen Reduction) or Class B sewage sludge pathogen requirements in §312.82(b) of this title shall be met if bulk sewage sludge is applied to (1) One of the vector attraction reduction requirements in §312.83(b)(1) - (10) of this title (relating to Vector Attraction Reduction) shall be met if bulk sewage sludge is applied to agricultural land, forest, a public contact site, or a reclamation site.

(2) One of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title shall be met if bulk sewage sludge is applied to a lawn or a home garden.

(3) One of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title shall be met if sewage sludge is sold or given away in a bag or other container for application to the land.

(4) The vector attraction reduction requirements in §312.83(b)(12) of this title shall be met if domestic septage is applied to agricultural land, forest, or a public contact site. agricultural land, forest, a public contact site, or a reclamation site.

(2) The Class A or Class AB sewage sludge pathogen requirements in §312.82(a) of this title shall be met if bulk sewage sludge is applied to a lawn or a home garden.

(3) The Class A or Class AB sewage sludge pathogen requirements in §312.82(a) of this title shall be met if sewage sludge is sold or given away in a bag or other container for application to the land.

(4) The requirements in §312.82(c) of this title shall be met if domestic septage is applied to agricultural land, forest, or a reclamation site.

(b) Vector attraction reduction.

(1) One of the vector attraction reduction requirements in §312.83(b)(1) - (10) of this title (relating to Vector Attraction Reduction) shall be met if bulk sewage sludge is applied to agricultural land, forest, a public contact site, or a reclamation site.

(2) One of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title shall be met if bulk sewage sludge is applied to a lawn or a home garden.

(3) One of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title shall be met if sewage sludge is sold or given away in a bag or other container for application to the land.

(4) The vector attraction reduction requirements in §312.83(b)(12) of this title shall be met if domestic septage is applied to agricultural land, forest, or a public contact site.

Adopted September 10, 2014

Effective October 2, 2014

**§312.46. Frequency of Monitoring.**

(a) Sewage sludge (other than domestic septage).

(1) The frequency of monitoring for the metals listed in §312.43(b) (1)-(4) of this title (relating to Metal Limits); the pathogen density requirements in either §312.82(a) or (b)(1)(C) and (b)(2) of this title (relating to Pathogen Reduction); and vector attraction reduction requirements in §312.83(b)(1) - (8) of this title (relating to Vector Attraction Reduction) are defined in Table 5.

TABLE 5 - FREQUENCY OF MONITORING - LAND APPLICATION

Amount of sewage sludge* (metric tons per 365 day period)	Frequency
0 to less than 290	once per year
290 to less than 1,500	once per quarter
1,500 to less than 15,000	once per 60 days
15,000 or greater	once per month

\* Either the amount of bulk sewage sludge applied to the land or the amount of sewage sludge received by a person who prepares the sewage sludge for sale or give away in a bag or other container for application to the land - dry weight basis.

(2) After the sewage sludge has been monitored for two years at the frequency shown in subsection 1 of this section (Table 5), the executive director may reduce the frequency of monitoring for pollutant concentrations and for the pathogen density requirements, but in no case shall the frequency of monitoring be less than once per year when sewage sludge is applied to the land. A reduction in monitoring will be

allowed after agency review of a significant data set of sample results and where the city or cities generating the sewage sludge have in place a satisfactory and enforceable pretreatment program.

(3) After the sewage sludge has been monitored for two years at the frequency shown in subsection (1) of this section (Table 5), the executive director may increase the frequency of monitoring for pollutant concentrations and for the pathogen density requirements. An increase in monitoring will be required after agency review of a significant data set of sample results and where high pollutant or pathogen values are present in sewage sludge generated.

(b) Domestic septage applied to agricultural land, forest, or a reclamation site shall be monitored for the pathogen reduction requirements in §312.82(c) of this title (relating to Pathogen Reduction) and the vector attraction reduction requirements in §312.83(b)(12) of this title (relating to Vector Attraction Reduction).

Adopted September 26, 1995

Effective October 13, 1995

#### **§312.47. Record Keeping.**

(a) Sewage sludge.

(1) The person who prepares the sewage sludge in §312.41(b)(1) or (e) of this title (relating to Applicability) shall develop the following information and shall retain the information for five years:

(A) the concentration of each metal listed in Table 3 of §312.43(b)(3) of this title (relating to Metal Limits) in the sewage sludge;

(B) the following certification statement: "I certify, under penalty of law, that the Class A (or insert Class AB) sewage sludge pathogen requirements in 30 TAC §312.82(a) and the vector attraction reduction requirement in (insert one of the vector attraction reduction requirements in 30 TAC §312.83(b)(1) - (8)) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the pathogen requirements and vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment" ;

(C) a description of how the Class A or Class AB sewage sludge pathogen requirements in §312.82(a) of this title (relating to Pathogen Reduction) are met; and

(D) a description of how one of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title (relating to Vector Attraction Reduction) is met.

(2) The person who derives the material in §312.41(c)(1) or (f) of this title shall develop the following information and shall retain the information for five years:

(A) the concentration of each metal listed in Table 3 of §312.43(b)(3) of this title in the material;

(B) the following certification statement: "I certify, under penalty of law, that the Class A (or insert Class AB) sewage sludge pathogen requirements in 30 TAC §312.82(a) and the vector attraction reduction requirement in (insert one of the vector attraction reduction requirements in 30 TAC §312.83(b)(1) - (8)) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the pathogen requirements and the vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment";

(C) a description of how the Class A or Class AB sewage sludge pathogen requirements in §312.82(a) of this title are met; and

(D) a description of how one of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title is met.

(3) If the metal concentrations in Table 3 of §312.43(b)(3) of this title, the Class A or Class AB sewage sludge pathogen requirements in §312.82(a) of this title, and the vector attraction reduction requirements in either §312.83(b)(9) or (10) of this title are met when bulk sewage sludge is applied to agricultural land, forest, a public contact site, or a reclamation site:

(A) The person who prepares the bulk sewage sludge shall develop the following information and shall retain the information for five years:

(i) the concentration of each metal listed in Table 3 of §312.43(b)(3) of this title in the bulk sewage sludge;

(ii) the following certification statement: "I certify, under penalty of law, that the pathogen requirements in 30 TAC §312.82(a) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and

evaluate the information used to determine that the pathogen requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment."; and

(iii) a description of how the pathogen requirements in §312.82(a) of this title are met.

(B) The person who applies the bulk sewage sludge shall develop the following information and shall retain the information for five years:

(i) the following certification statement: "I certify, under penalty of law, that the management practices in 30 TAC §312.44 and the vector attraction reduction requirement in (insert either 30 TAC §312.83(b)(9) or (10)) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices and vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including fine and imprisonment";

(ii) a description of how §312.44 of this title (relating to Management Practices) are met for each site on which bulk sewage sludge is applied; and

(iii) a description of how the vector attraction reduction requirements in either §312.83(b)(9) or (10) of this title are met for each site on which bulk sewage sludge is applied.

(4) If the metal concentrations in Table 3 of §312.43(b)(3) of this title and the Class B pathogen requirements in §312.82(b) of this title are met when bulk sewage sludge is applied to agricultural land, forest, a public contact site, or a reclamation site:

(A) The person who prepares the bulk sewage sludge shall develop the following information and shall retain the information for five years:

(i) the concentration of each metal listed in Table 3 of §312.43(b)(3) of this title in the bulk sewage sludge;

(ii) the following certification statement: "I certify under, penalty of law, that the Class B sewage sludge pathogen requirements in 30 TAC §312.82(b) and the vector attraction reduction requirement in (insert one of the vector attraction reduction requirements in 30 TAC §312.83(b)(1) - (8) if one of those requirements is met) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that

qualified personnel properly gather and evaluate the information used to determine that the pathogen requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment";

(iii) a description of how the Class B sewage sludge pathogen requirements in §312.82(b) of this title are met; and

(iv) when one of the vector attraction reduction requirements in §312.83(b)(1) - (8) of this title is met, a description of how the vector attraction reduction requirement is met.

(B) The person who applies the bulk sewage sludge shall develop the following information and shall retain the information for five years:

(i) the following certification statement: "I certify, under penalty of law, that the management practices in 30 TAC §312.44, the site restrictions in 30 TAC §312.82(b)(3), and the vector attraction reduction requirements in (insert either 30 TAC §312.83(b)(9) or (10), if one of those requirements is met) have been met for each site on which bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices and site restrictions (and the vector attraction reduction requirements if applicable) have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment";

(ii) a description of how §312.44 of this title are met for each site on which bulk sewage sludge is applied;

(iii) a description of how the site restrictions in §312.82(b)(3) of this title are met for each site on which bulk sewage sludge is applied; and

(iv) when the vector attraction reduction requirement in either §312.83(b)(9) or (10) of this title is met, a description of how the vector attraction reduction requirement is met.

(5) If the requirements in §312.43(a)(2)(A) of this title are met when bulk sewage sludge is applied to agricultural land, forest, a public contact site, or a reclamation site:

(A) The person who prepares the bulk sewage sludge shall develop the following information and shall retain the information for five years:

(i) the concentration of each metal listed in Table 1 of §312.43(b)(1) of this title in the bulk sewage sludge;

(ii) the following certification statement: "I certify, under penalty of law, that the pathogen requirements in (insert either 30 TAC §312.82(a) or (b)) and the vector attraction reduction requirement in (insert one of the vector attraction reduction requirements in 30 TAC §312.83(b)(1) - (8) if one of those requirements is met) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the pathogen requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment";

(iii) a description of how the pathogen requirements in either §312.82(a) or (b) of this title are met;

(iv) when one of the vector attraction requirements in §312.83(b)(1) - (8) of this title is met, a description of how the vector attraction requirement is met.

(B) The person who applies the bulk sewage sludge shall develop the following information, retain the information in clauses (i) - (vii) of this subparagraph indefinitely, and retain the information in clause (viii) - (xiii) of this subparagraph, for five years:

(i) the location, by either street address or latitude and longitude, of each site on which bulk sewage sludge is applied;

(ii) the number of acres in each site on which bulk sewage sludge is applied;

(iii) the date and time bulk sewage sludge is applied to each site;

(iv) the cumulative amount of each metal (i.e., kilograms) listed in Table 2 of §312.43(b)(2) of this title in the bulk sewage sludge applied to each site, including the amount in §312.42(e) of this title (relating to General Requirements);

(v) the amount of sewage sludge (i.e., metric tons) applied to each site;

(vi) the following certification statement: "I certify, under penalty of law, that the requirements to obtain information in 30 TAC §312.42(e) have

been met for each site on which bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the requirements to obtain information have been met. I am aware that there are significant penalties for false certification including fine and imprisonment";

(vii) a description of how the requirements to obtain information in §312.42(e) of this title are met;

(viii) the following certification statement: "I certify, under penalty of law, that the management practices in 30 TAC §312.44 have been met for each site on which bulk sewage sludge is applied. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practices have been met. I am aware that there are significant penalties for false certification including fine and imprisonment";

(ix) a description of how §312.44 of this title are met for each site on which bulk sewage sludge is applied;

(x) the following certification statement when the bulk sewage sludge meets the Class B pathogen requirements in §312.82(b) of this title: "I certify, under penalty of law, that the site restrictions in 30 TAC §312.82(b)(3) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the site restrictions have been met. I am aware that there are significant penalties for false certification including fine and imprisonment";

(xi) a description of how the site restrictions in §312.82(b)(3) of this title are met for each site on which Class B bulk sewage sludge is applied;

(xii) the following certification statement when the vector attraction reduction requirement in either §312.83(b)(9) or (10) of this title is met: "I certify, under penalty of law, that the vector attraction reduction requirement in (insert either 30 TAC §312.83(b)(9) or (10)) has been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the vector attraction reduction requirement has been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment"; and



(xiii) if the vector attraction reduction requirements in either §312.83(b)(9) or (10) of this title are met, a description of how the requirements are met.

(6) If the requirements in §312.43(a)(4)(B) of this title are met when sewage sludge is sold or given away in a bag or other container for application to the land, the person who prepares the sewage sludge that is sold or given away in a bag or other container shall develop the following information and shall retain the information for five years:

(A) the annual whole sludge application rate for the sewage sludge that does not cause the annual metal loading rates in Table 4 of §312.43(b)(4) of this title to be exceeded;

(B) the concentration of each metal listed in Table 4 of §312.43(b)(4) of this title in the sewage sludge;

(C) the following certification statement: "I certify, under penalty of law, that the management practice in 30 TAC §312.44(e), the Class A (or insert Class AB) sewage sludge pathogen requirement in 30 TAC §312.82(a), and the vector attraction reduction requirement in (insert one of the vector attraction reduction requirements in §312.83(b)(1) - (8)) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the management practice, pathogen requirements, and vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment";

(D) a description of how the Class A or Class AB sewage sludge pathogen requirements in §312.82(a) of this title are met;

(E) a description of how one of the vector attraction requirements in §312.83(b)(1) - (8) of this title is met.

(b) Domestic septage. When domestic septage is applied to agricultural land, forest, or a reclamation site, the person who applies the domestic septage shall develop the following information and shall retain the information for five years:

(1) the location, by either street address or latitude and longitude, of each site on which domestic septage is applied;

(2) the number of acres in each site on which domestic septage is applied;

(3) the date and time domestic septage is applied to each site;

(4) the nitrogen requirement for the crop or vegetation grown on each site during a 365-day period;

(5) the rate, in gallons per acre per 365-day period, at which domestic septage is applied to each site;

(6) The following certification statement: "I certify, under penalty of law, that the pathogen requirements in (insert either 30 TAC §312.82(c)(1) or (2)) and the vector attraction reduction requirements in (insert 30 TAC §312.83(b)(9), (10), or (12)) have been met. This determination has been made under my direction and supervision in accordance with the system designed to ensure that qualified personnel properly gather and evaluate the information used to determine that the pathogen requirements and vector attraction reduction requirements have been met. I am aware that there are significant penalties for false certification including the possibility of fine and imprisonment";

(7) a description of how the pathogen requirements in either §312.82(c)(1) or (2) of this title are met;

(8) a description of how the vector attraction reduction requirements in §312.83(b)(9), (10), or (12) of this title are met.

Adopted September 10, 2014

Effective October 2, 2014

#### **§312.48. Reporting.**

Unless otherwise specified by the commission, sludge management facilities shall submit the following information to the Enforcement Division, the Wastewater Permitting Section of the Water Quality Division, and the appropriate regional office:

(1) annually by September 30 of each year:

(A) the information in §312.47 of this title (relating to Record Keeping) for the applicable requirements;

(B) the information in §312.47(a)(5)(A)(i) - (iv) of this title if:

(i) the sewage sludge does not meet the metal concentrations in §312.43(b)(3) of this title (relating to Metal Limits);

(ii) 90% or more of any of the cumulative metal loading rates in §312.43(b)(2) of this title is reached at a site; or

(iii) sewage sludge is applied to a site after 90% of any of the cumulative metal loading rates is reached at the site; and

(C) for the Class B sewage sludge beneficial land application permit holder:

(i) evidence that the permit holder is complying with the nutrient management plan developed by a certified nutrient management specialist in accordance with the United States Department of Agriculture Natural Resource Conservation Service Practice Standard Code 590;

(ii) a completed Annual Sludge Summary Report Form; and

(iii) proof of continuation of commercial liability insurance and environmental impairment insurance; and

(2) for the Class B sewage sludge beneficial land use permit holder, submit quarterly reports by the 15th day of the month following each quarter. Quarterly reports are due December 15th, March 15th, June 15th, and September 15th and must include:

(A) a Quarterly Sludge Summary Report form; and

(B) a computer-generated quarterly report containing:

(i) the source, quality, and quantity of sludge applied to the land application unit;

(ii) the location of the land application unit, either in terms of longitude and latitude or by physical address, including the county;

(iii) the dates of delivery of Class B sewage sludge;

(iv) the dates of application of Class B sewage sludge;

(v) the cumulative amount of metals applied to the land application unit through the application of Class B sewage sludge;

(vi) crops grown at the land application unit site; and

(vii) the suggested agronomic application rate for the Class B sewage sludge.

Adopted September 28, 2005

Effective October 20, 2005

**§312.49. Appendix A - Procedure to Determine the Annual Whole Sludge Application Rate for a Sewage Sludge.**

Section 312.43(a)(4)(B) of this title (relating to Metal Limits) requires that the product of the concentration for each metal listed in Table 4 of §312.43 of this title in sewage sludge sold or given away in a bag or other container for application to the land and the annual whole sludge application rate (AWSAR) for the sewage sludge not cause the annual metal loading rate for the metal in Table 4 of §312.43(b)(4) of this title to be exceeded. This appendix contains the procedure used to determine the AWSAR for a sewage sludge that does not cause the annual metal loading rates in Table 4 of §312.43(b)(4) of this title to be exceeded.

(1) The relationship between the annual metal loading rate (AMLR) for a metal and the annual whole sludge application rate (AWSAR) for a sewage sludge is shown in equation (1).

$$\text{AMLR} = C \times \text{AWSAR} \times 0.001 \quad (1)$$

Where:

AMLR = Annual metal loading rate in kilograms per hectare per 365 day period.

C = Metal concentration in milligrams per kilogram of total solids (dry weight basis).

AWSAR = Annual whole sludge application rate in metric tons per hectare per 365 day period (dry weight basis).

0.001 = A conversion factor.

(2) To determine the AWSAR, equation (1) is rearranged into equation (2):

$$\text{AWSAR} = \frac{\text{AMLR}}{C \times 0.001} \quad (2)$$

(3) The procedure used to determine the AWSAR for a sewage sludge is presented in Appendix-A.

#### Appendix A

##### PROCEDURE:

1. Analyze a sample of the sewage sludge to determine the concentration for each of the metals listed in Table 4 of §312.43 of this title (relating to Metal Limits) in the sewage sludge.

2. Using the metal concentrations from Step 1 and the AMLRs from Table 4 of §312.43(b)(4) of this title (relating to Metal Limits), calculate an AWSAR for each metal using equation (2) above.

3. The AWSAR for the sewage sludge is the lowest AWSAR calculated in Step 2.

Adopted September 26, 1995

Effective October 13, 1995

#### **§312.50. Storage and Staging of Sludge at Beneficial Use Sites.**

(a) Except as provided in subsection (b) of this section, storage of sludge at a beneficial land application site must not exceed 90 days. Storage is allowed only when the following requirements are carried out.

(1) Written authorization must be obtained from the executive director prior to construction of the storage area.

(2) The storage area must be operated and maintained to prevent surface water runoff and to prevent a release to groundwater. Discharge of storm water or wastewater which has come into contact with sewage sludge is prohibited. The storage area shall be designed to collect such runoff. Any runoff collected during the storage of sewage sludge shall be disposed in a manner to prevent a release to groundwater.

(3) The storage area shall be designed, constructed, and operated in a manner which protects public health and the environment.

(4) The storage area must be lined to prevent a release to groundwater. Natural or artificial liners are required for leachate control. A natural liner or equivalent barrier of one foot of compacted clay with a permeability coefficient of  $1 \times 10^{-7}$  cm/sec or less must be provided. Various flexible synthetic membrane lining materials may be used in lieu of soil liners if prior written approval has been obtained from the executive

director. The registrant shall furnish certification by a licensed professional engineer or licensed professional geoscientist that the completed storage area lining meets the appropriate criteria described in this section prior to using the facilities. The certification shall be signed, sealed, and dated by a licensed professional engineer or licensed professional geoscientist.

(5) The application shall outline measures to be taken to minimize vectors and to avoid public health nuisances such as odors.

(6) The storage area shall be fenced or other methods shall be used, if necessary to control access by humans or domestic animals.

(7) Berms or dikes shall be constructed to contain the waste without leakage.

(8) Liquid sludge must be stored in an enclosed vessel.

(9) Processing of sludge is prohibited unless a permit is obtained from the commission.

(10) In the event a person who prepares sewage sludge that is applied to the land or who applies sewage sludge to the land, is subject to an Odor Control Plan as described in §312.44(j)(4) of this title (relating to Management Practices), that person must comply with the terms of the applicable Odor Control Plan in order to store sewage sludge at a beneficial use site.

(b) Up to an additional 90 days of storage will be allowed with the prior approval of the appropriate Texas Commission on Environmental Quality regional office, for reasons associated with application area flooding, saturated soils, or frozen soils.

(c) Staging of sewage sludge on-site, prior to land application, is allowable without executive director approval. Staging of sewage sludge may only occur for a maximum of seven calendar days per location within the beneficial land application site. Up to an additional 14 days of staging sewage sludge will be allowed with the prior approval of the appropriate Texas Commission on Environmental Quality regional office, for reasons associated with application area flooding, saturated soils, frozen soils, or equipment failure. Written records of the location of each staging area and timeframe in which sewage sludge was staged shall be retained by the operator and be readily available for review by a TCEQ representative. The operator shall stage the sewage sludge away from odor receptors in order to:

(1) prevent off-site dust migration from the staging area; and

(2) prevent nuisance odors.

Adopted September 10, 2014

Effective October 2, 2014



### Council Question and Answer

Related To

Item #67

Meeting Date

December 15, 2016

### Additional Answer Information

**QUESTION:** Can you advise what the appeal process is. I have had several calls about this issue not relating to new drivers but current drivers. This is the most recent. COUNCIL MEMBER HOUSTON'S OFFICE

**ANSWER:** City Code Section 13-2-107 – APPEAL states the following regarding a **chauffeur permit**: An applicant may appeal a denial of the issuance, renewal, amendment, or replacement of a chauffeur's permit to the department. The appeal must be submitted in writing not later than the 30th day after receipt of the notice of denial.

This past December 2015, Council identified criminal activities that would disqualify a driver from seeking or renewing authorization to drive a vehicle for hire. Council provided no discretion to the Director of Austin Transportation Department when considering appeals, essentially rendering Section 13-2-107 unavailable to drivers.

City Code Article 4 – TRANSPORTATION NETWORK COMPANY SERVICE does not specify an appeals process nor does it provide discretionary action to the department for those drivers disqualified from obtaining a **TNC permit** with the City of Austin.

**QUESTION:** Is there data to tell us how many currently licensed drivers have had their applications rejected, the reasons they were rejected and/or their current license revoked? COUNCIL MEMBER HOUSTON'S OFFICE

**ANSWER:** Since January 2016, the Austin Transportation Department has conducted **197** in-depth background reviews. Please see *Chart Number 1* for details of the charges which include disqualifications for **both** chauffeur and TNC drivers. Of the 197 drivers disqualified since January,

- **41** drivers were rejected based on a 7-year disqualifier defined by Council
- **118** drivers were rejected on a permanent disqualifier defined by Council
- **38** drivers are awaiting a final disposition on a charge that could either grant them/deny them an opportunity to be permitted

**QUESTION:** How do those numbers correspond to new drivers? COUNCIL MEMBER HOUSTON'S OFFICE

**ANSWER:** The Austin Transportation Department does not track the rejection variance for current and new drivers. Currently, there are **5235 TNC drivers** and **3824 chauffeur drivers** licensed or authorized by the Austin Transportation Department to provide service within Austin (or a total of 9,059 licensed/authorized mobility as a service drivers). **The 197 denied permits represent a 2.2% rejection rate as of the current month.**



Chart Number 1 – which includes disqualifications for both TNC and chauffeur drivers:

Count	Date	# of Offenses	Offense Description
1	1/30/2016	1	Felony 3rd deg. Inj to child recklessly sbi
2	2/13/2016	1	Poss CS PG 1<1G
3	5/3/2016	1	Terroristic Threat
4	5/3/2016	2	Terroristic Threat
5	5/9/2016	1	Felony CC/Debit Card Abuse
6	5/9/2016	1	Felony Credit Card or Debit Card Abuse
7	5/10/2016	2	Interfer W/ER
8	5/11/2016	1	Felony Burglary of building
9	5/13/2016	1	Burglary
10	5/16/2016	1	Agg assault against Public Servant
11	5/17/2016	1	Felony Dist of Controlled Sub
12	5/17/2016	1	Felony Man/Del/Sell/Poss of CS
13	5/17/2016	1	Misd. Resist arrest search or transp
14	5/17/2016	1	DWI Misd.
15	5/17/2016	1	Misd. Resist arrest search or transp
16	5/17/2016	1	Sex Perversion/ Crimes Against Children L&L
17	5/17/2016	1	Terroristic Threat
18	5/17/2016	1	Driving While Intoxicated
19	5/17/2016	1	Crimes against children
20	5/17/2016	1	Terroristic Threat
21	5/18/2016	1	Domestic Violence Assault
22	5/18/2016	1	Felony Man/Del/Sell/Poss of CS
23	5/18/2016	1	Terroristic Threat Misd.
24	5/18/2016	1	Misd. Terroristic threat
25	5/18/2016	1	Sexual Abuse
26	5/19/2016	1	Felony DWI W/Child under 15 YOA
27	5/19/2016	1	Felony Man/Del/Sell/Poss of CS
28	5/19/2016	1	Agg assault causes serious bodily Inj
29	5/19/2016	1	Burglary of habitation
30	5/19/2016	1	Felony- abandoned/endanger child neg.
31	5/19/2016	1	Felony- theft prop <=\$1500, 20k
32	5/19/2016	1	Asslt Causing bodily Inj Fam
33	5/19/2016	1	Obstructing Hwy Passageway
34	5/20/2016	1	Felony 3rd Degree Inj to Child w/int bodily Inj
35	5/20/2016	1	Misd. Assault causes bodily inj family member
36	5/20/2016	1	Felony- poss marij. <=5lbs >4 oz.
37	5/20/2016	1	Felony 3rd deg.- Inj child w/int bodily inj.
38	5/20/2016	1	Inj Child W/int Bodily Inj
39	5/23/2016	1	3rd degree felony Del Marij Drug free zone
40	5/23/2016	1	DWI

41	5/24/2016	1	Agg Assault W/bodily Inj
42	5/24/2016	1	Stalking
43	5/24/2016	1	Misd. Stalking
44	5/25/2016	1	Assault W/deadly weapon
45	5/25/2016	1	Burglary
46	5/25/2016	1	Robbery
47	5/25/2016	1	Aggravated Assault W/deadly weap.
48	5/25/2016	1	Inj Child SBI/Mental
49	5/26/2016	1	Domestic Abuse Battery
50	5/27/2016	1	Felony DWI W/Child under 15 YOA
51	5/27/2016	1	Felony Inj child W/Int bodily inj
52	5/27/2016	1	3rd degree Felony Inj Child/Elderly/Disabled W/Int bodily Inj
53	5/27/2016	1	Felony 3rd deg. Inj to child w/int bodily inj
54	5/27/2016	1	Poss/Marij
55	5/27/2016	1	Assault Fam/House Mem Impede Breath/Circulate
56	5/28/2016	1	Poss Marij
57	5/31/2016	1	Harassment 2nd degree
58	5/31/2016	1	Felony- poss cs pg 1<1g
59	6/2/2016	1	Misd.- Poss Marij. <= 2oz.
60	6/2/2016	1	Evading Arrest/Vehicle
61	6/3/2016	1	Felony Burglary of Habitation
62	6/3/2016	1	3rd degree Felony Man/Del CS PG 1-A
63	6/3/2016	1	Felony burglary of habitat
64	6/6/2016	1	Felony- Man/del CS PG 1< 1g.
65	6/7/2016	1	Felony- unlawful use of a weapon
66	6/7/2016	1	Multiple Felonies
67	6/7/2016	1	Multiple Felonies
68	6/8/2016	1	2nd degree Felony Robbery
69	6/8/2016	1	Asslt Causing bodily Inj Fam
70	6/10/2016	1	Felony- poss cs pg2 < 1g
71	6/13/2016	1	Misd. DWI
72	6/13/2016	1	Domestic Battery
73	6/14/2016	1	DUI
74	6/14/2016	1	Felony Man/Del/Sell/Poss of CS
75	6/15/2016	1	Agg Assault causes SBI
76	6/15/2016	1	DWI
77	6/16/2016	1	Harassment (Misd)
78	6/16/2016	1	Felony Man/del CS PG 1
79	6/16/2016	1	Misd-DWI
80	6/16/2016	1	Obstructing Hwy Passageway
81	6/16/2016	1	Harassment
82	6/17/2016	1	POSS/DWI
83	6/20/2016	1	Misd.-Terroristic threat of family/household
84	6/21/2016	1	Terrorist Threat of Family
85	6/21/2016	1	Prostitution/Other Payor

86	6/21/2016	1	Poss of Narcotic Cntl Sub
87	6/21/2016	1	Misd.- Prostitution/ other payor
88	6/21/2016	1	Prostitution/Other Payor
89	6/21/2016	1	Assault Fam/House Mem Impede Breath/Circulate
90	6/23/2016	1	DWI
91	6/23/2016	1	Misd. Dom asslt-thrtn Int pntr-immbody injry
92	6/23/2016	1	Poss Marij
93	6/24/2016	1	3rd degree Felony Asslf Fam/House Mem Imped Breath/ Circulate
94	6/27/2016	1	Counts of Inf Corp, Inj, Spouse
95	6/27/2016	1	Asslt Causing bodily Inj Fam
96	6/28/2016	1	Felony poss cs pg 3 >= 400G
97	6/29/2016	1	Promotion of Prostitution
98	6/29/2016	1	Felony Dom Battery by Strangulation
99	6/29/2016	1	Alien smuggling
100	6/29/2016	1	Burglary
101	6/29/2016	1	Prostitution
102	7/2/2016	1	3rd degree Felony agg asslt causes SBI
103	7/4/2016	1	Felony- Theft of a firearm
104	7/7/2016		Felony Burglary of a building
105	7/9/2016	1	Assault causes bodily inj Fam mem
106	7/9/2016	1	simple kidnapping
107	7/9/2016	1	POSS MARIJ
108	7/10/2016	1	DWI
109	7/10/2016	1	Misd.- DWI
110	7/10/2016	1	Poss Marij
111	7/11/2016	1	Felony 3rd degree Burglary
112	7/11/2016	1	Felony Burglary
113	7/11/2016	1	Misd.- DUI of alcohol
114	7/11/2016	1	Burglary of Habitation
115	7/11/2016	1	Felony Burglary
116	7/12/2016	3	Delivery/Poss of Con/ Manuf/Del/Posses
117	7/13/2016	1	Engaging in Organized Crim. Act
118	7/13/2016	1	Del. of a controlled substance Oxycodone
119	7/14/2016	1	Misd.- Obstructing passageway
120	7/14/2016	1	Misd- Driving W/Lic Inv W/Prev Conv/Susp/
121	7/18/2016	1	Burglary
122	7/18/2016	1	Felony- poss CS PG1
123	7/18/2016	1	burglary of habit
124	7/19/2016	1	operating vehicle while intoxicated
125	7/19/2016	1	Poss of Marij.
126	7/20/2016	1	Felony 2nd deg.- indecency w/ a child sexual contact
127	7/21/2016	1	Felony- Man/del CS
128	7/21/2016	1	Misd.- DWI/open alch container
129	7/21/2016	1	Delivery/Poss of Con/ Manuf/Del/Posses
130	7/22/2016	1	Misd.- Obstructing passageway

131	7/22/2016	1	Criminal Poss/Nar Drug-4th degree
132	7/22/2016	1	Indecent Assault
133	7/25/2016	1	Misd-DWI
134	7/25/2016	1	DWI
135	7/26/2016	1	Felony- Agg Asslt w/deadly weapon
136	7/27/2016	1	Poss of Methamphetamine
137	7/27/2016	1	Theft
138	7/28/2016	1	Felony- man/sell/poss controlled substance
139	7/28/2016	3	Terroristic Threat/Poss Marij
140	7/29/2016	1	DWI
141	7/29/2016	1	Assault causes bodily injury family
142	8/1/2016	1	Misd-Poss CS PG <28G
143	8/2/2016	1	Burglary of Habitat
144	8/5/2016	4	Burglary 2nd Degree X2
145	8/5/2016	1	Felony Burglary
146	8/11/2016	3	Man/Del/Sell/Poss
147	8/13/2016	1	Obstructing Hwy Passageway
148	8/16/2016	1	DWI
149	8/18/2016	1	DWI
150	8/26/2016	1	Robbery
151	8/26/2016	1	Robbery
152	8/29/2016	4	Felony Possessions, Manufacture, sale of Marijuana
153	9/8/2016	1	Insurance Fraud
154	9/8/2016	1	Arson Causing Bodily Injury/Death
155	9/8/2016	1	Burglary Habitation Intend other Felony
156	9/12/2016	1	Assault causes bodily
157	9/13/2016	1	Obstructing Hwy Passageway
158	9/19/2016	1	Assault causes bodily inj Fam mem
159	9/19/2016	1	DUL
160	9/22/2016	1	Poss CS
161	9/28/2016	1	Assault causes bodily injury family member
162	9/28/2016	1	Unlawful Carrying Weapon
163	9/28/2016	1	Obstructing Hwy Passageway
164	9/30/2016	1	Robbery
165	9/30/2016	1	Robbery
166	9/30/2016	1	Felony Possession, Manufacture, sale of Marijuana
167	10/6/2016	1	Felony Sexual Asslt child
168	10/6/2016	1	Assault causes bodily inj Fam mem
169	10/6/2016	1	DWI
170	10/6/2016	1	Assault Causes Bodily Inj Family Member
171	10/7/2016	1	Domestic Abuse Battery
172	10/11/2016	1	Burglary 3rd degree
173	10/11/2016	1	DWI
174	10/14/2016	1	Arson
175	10/17/2016	1	DWI

176	10/17/2016	1	Battery
177	10/18/2016	1	DWI
178	10/20/2016	1	Man/Del/Sell/Poss
179	10/27/2016	1	Battery
180	10/28/2016	2	Multiple Felonies
181	10/28/2016		Child cruelty Pos Inj/Dth
182	10/31/2016	1	Assault
183	11/3/2016	1	Burglary of building
184	11/7/2016	1	DWI
185	11/7/2016	1	Burglary of Habitat/ Unlawful use Motor Veh
186	11/8/2016	1	Multiple Felonies
187	11/11/2016	1	Assault Cause/Assault by Battery
188	11/14/2016	1	Theft
189	11/16/2016	1	DWI
190	11/17/2016	1	DWI
191	11/17/2016	1	Sell Controlled Substance
192	11/29/2016	1	Theft
193	11/30/2016	1	DWI
194	12/5/2016	4	Possession of Dangerous drugs
195	12/5/2016	1	Obstructing Hwy Passageway
196	12/7/2016	1	Assault Causes Bodily Inj Family Member
197	11/22/016	3	Forgery