



## Agenda

### Questions and Answers Report

*Mayor Steve Adler*

*Mayor Pro Tem Kathie Tovo, District 9*

*Council Member Ora Houston, District 1*

*Council Member Delia Garz, District 2*

*Council Member Sabino "Pio" Renteria, District 3*

*Council Member Gregorio Casar, District 4*

*Council Member Ann Kitchen, District 5*

*Council Member Jimmy Flannigan, District 6*

*Council Member Leslie Pool, District 7*

*Council Member Ellen Troxclair, District 8*

*Council Member Alison Alter, District 10*

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Thursday, December 14, 2017

Austin City Hall

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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

3. **Agenda Item #3:** Authorize negotiation and execution of a 15-year power purchase agreement with a subsidiary of INTERSECT POWER for the full output of electricity from a utility-scale solar generation facility with capacity of 150 to 180 megawatts, in an estimated amount of \$10,000,000 to \$12,000,000 per year, and a total estimated amount of \$150,000,000 to \$180,000,000.

QUESTION:

- 1) How does this price compare to all other generation sources in the Texas market?
- 2) Understanding that the energy market in Texas is dynamic, how will this purchase - in terms of impact to customer bills in the next 5 years - compare to other generation sources?
- 3) Of the 400 proposals, was this the most affordable for Austin Energy customers?
- 4) If the City did not choose the most affordable contract, why not?
- 5) Does the City start paying immediately, or do we start making payments upon when the project begins commercial operation in 2020?

COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER:

- 1) This is the lowest priced solar power purchase agreement (PPA) in Texas to date. It is more economic than owning a new natural gas combined cycle in a \$3 natural gas market. General Manager Jackie Sargent informed Council members of this PPA at the November meeting of the

Austin Energy Utility Oversight Committee; however, consideration has been expedited due to the pricing terms reached through negotiations. The price is confidential under the contract.

2) This solar power will impact customer bills after Power Supply Adjustment (PSA) year 2020 (in effect, 2022 based on current methodology). We expect a positive impact to the customer bill by lowering PSA costs to the tune of 1%. The PSA is approximately 1/3 of a customer's bill. The true impact will be based on market prices in that time period.

3) Yes, it is the most affordable and provides the most value to Austin Energy customers when taking into account expected net generation revenue and congestion benefits.

4) The recommendation is the most affordable contract.

5) The City pays for energy produced after commercial operation in 2021.

- 5. Agenda Item #5:** Approve an ordinance amending Section 11-2-7 of the City Code relating to the allocation of Hotel Occupancy Taxes for authorized uses.

QUESTION:

Can staff provide the full bond covenants cited in Part 1(C) of the draft ordinance? Please notate or highlight the specific sections of the covenants that dedicate the hotel tax to the bond debt and the sections that create the restriction that the City cannot dedicate additional funding beyond what is necessary to serve the debt.

COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER:

Pending.

- 6. Agenda Item #6:** Authorize negotiation and execution of a professional services agreement with AECOM Technical Services, Inc., (staff recommendation) to provide consulting services for the Austin-Bergstrom International Airport Terminal Centralized Baggage Handling System Design Criteria Manual project in an amount not to exceed \$700,000.

QUESTION:

What price did the other bidders provide as a cost of performing this service? How did the other bidders compare to this bidder in terms of the cost to provide the service?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

Per Texas Professional Service Procurement Act, TX Government Code 2254, Professional Services agreements must be selected using a qualifications-based evaluation process. AECOM was determined by a cross-functional panel of City staff to be the best-evaluated, and therefore the most-qualified contractor, for this project. If Council approves staff to move forward with negotiation and execution of an agreement, staff will work with the sponsor department, the project manager, and the consultant to come to a fair and reasonable price for this project, or will move to the next-best evaluated consultant that submitted on this solicitation. Therefore, at this point in the process, there are no prices to compare between consultants based on the Professional Services nature of this procurement. The \$700K budget was developed by staff based on the scope of work the selected consultant will ask to perform.

- 7. Agenda Item #7:** Authorize award and execution of a construction contract with Smith Contracting Co., Inc., for the Upper Boggy Creek Trail Phase 1 project in an amount of \$2,490,028.00, plus a \$249,002.80 contingency, for a total contract amount not to exceed

\$2,739,030.80.

QUESTION:

Is the Disadvantaged Business Enterprise Program the same as our minority business program that we usually see on RCA's? Please explain. Why are the organizations named in the RCA singled out/highlighted for the input process?

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

The Disadvantaged Business Enterprise (DBE) Program is the federal equivalent to the City's MBE/WBE Procurement Program. The DBE Program was established by the U.S. Department of Transportation to provide a mechanism to increase the participation by minority and women-owned business enterprises in state and local procurements receiving federal transportation funds. The U.S. Department of Transportation's DBE regulations require state and local agencies that receive Department of Transportation funding to establish goals for the participation of DBEs in procurements receiving these funds. In addition, state and local recipients also certify the eligibility of DBE firms to participate in these projects. The Small & Minority Business Resources (SMBR) Department is one of six certifying agencies in the State of Texas conducting the certification of DBE firms. The main objectives of the federal DBE Program are: 1) ensure disadvantaged business enterprises (DBE) can compete fairly for federally funded transportation-related projects; 2) ensure that only eligible firms participate as DBEs; and 3) assist DBE firms in competing outside the DBE Program.

The Public Works Department reached out to a various community stakeholders on this project. The organizations named in the RCA were included in the outreach process due to their close proximity to the project. As well these particular organizations have had major involvement in the petitioning for improvements of the existing trail. Multiple neighborhood groups we included in the public outreach for this project as well.

- 8. Agenda Item #8:** Authorize award and execution of a construction contract with Cash Construction Company, Inc., for the Burleson Road Pressure Conversion Phase 1 project in the amount of \$4,736,700, plus a \$236,835 contingency, for a total contract amount not to exceed \$4,973,535.

QUESTION:

Does the City have a long-term or masterplan relating to reclaimed water infrastructure or other capital projects?

COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER:

The project has long been a component of Austin Water's long-term master plan for the reclaimed water program. We also use a document entitled "Completing the Core" that identifies which projects in the long-term master plan we are focusing on in the next few years. The Burleson Road Pressure Conversion Phase 1 is included in Completing the Core. Each year Austin Water updates its five-year Capital Improvement Plan. The Burleson Road Pressure Conversion Phase 1 has been included in Austin Water's CIP planning efforts. The Burleson Road Pressure Conversion Phase 1 project is important to Austin Water because it opens new areas of the City to potential customers, especially along Burleson Road and along FM 973 to the east of the airport. The project is also a component of a core loop of mains that provides reliable service to existing and future customers.

- 13. Agenda Item #13:** Approve an ordinance amending the Fiscal Year 2017-2018 Economic Development Department Cultural Arts Fund (Ordinance No. 20170913-001) to increase expenditures by \$240,000 in order to provide funding for Council Budget Rider C-29 related to

expanded hours at Parks and Recreation Department Cultural Centers for artists and arts programs that attract tourists and convention delegates.

QUESTION:

How was the (Deficiency) of Total Available Funds amount, (\$1,933,063), in the "2017 - 18 Approved" column obtained?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

The excess (deficiency) of total available fund over total requirement is calculated, total available funds less total requirements (\$11,116,937 - \$13,050,000).

The Cultural Arts Fund has a positive end balance due to the beginning balance of \$3,986,941.

QUESTION

What metrics will be in place to measure whether increased hours at cultural centers is having a positive impact on the "promotion of arts programs to tourists and convention delegates."

COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER:

All artists and/or arts organizations using the Artist Access Program will be artists and/or organizations that are approved contractors for the Economic Development Department's (EDD) Cultural Funding program, and are required to follow the guidelines established for promoting Cultural Tourism.

Extending the hours of the cultural centers requires the assistance of two temporary workers per facility-one technical support worker and one arts administrator, who will provide marketing support for the artists, posting their listings widely for tourists to access. The number of listings that the arts administrators post on behalf of the artists and/or arts organizations will be used as one performance metric in evaluating the impact of the extended hours on the "promotion of arts programs to tourists and convention delegates."

An annual report will be required within thirty days of the programming cessation, no later than October 30th of any given fiscal year. The report will require proof of award and match monies expended, proof the funded programming was executed, a variety of demographic data, and documentation as to the use of required publicity verbiage and logo.

Demographic data includes the following (but is not limited to):

1. Audience Data
  - a. Total Directly Served
  - b. Demographic information
  - c. Special Constituencies
  - d. Total number of Tourists (state, national and international)
2. Marketing and Outreach efforts
  - a. Verify use of Cultural Arts Division Logo and Publicity Statement
  - b. Verify event listing on NowPlayingAustin.com
  - c. Social media outreach
  - d. Specific marketing efforts to ethnic or minority communities
  - e. Specific marketing efforts to statewide, national or international audiences

Due to scheduling conflicts with existing resident artist companies at the Mexican-American Cultural Center (MACC), at this time, the MACC will not be participating in the first year of the

pilot program.

Attached is a listing of helpful tips provided to Cultural Contractors and a blank final report that all contractors must complete.

- 15 and 16. Agenda Item #15 and #16:** Authorize negotiation and execution of an amendment to the legal services agreement with Robert Icenhauer Ramirez for legal services related to Albina Roque et al v. City of Austin et al, Cause No. 1:17-cv-932 in the United States District Court for the Western District of Texas in an amount of \$103,000 for a total contract amount not to exceed \$162,000. Authorize execution of an amendment to the legal services contract with Richards Rodriguez & Skeith for legal representation in connection with Andrew Garcia v. City of Austin et al, Cause No. 1:17-CV-01052, in an amount not to exceed \$266,000 for a total contract amount not to exceed \$316,000.

QUESTION:

How does the Law Department determine which cases to handle internally, and which to hire outside counsel?

COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER:

The Law Department will respond to this question separately.

- 17. Agenda Item #17:** Approve second and third reading of an ordinance authorizing execution of the first amendment to a settlement agreement relating to the development of property located at 6409 City Park Road (Champion Tract); amending Ordinance No. 960613-J; modifying provisions of the Lake Austin Watershed Regulations in Ordinance No. 840301-F; and modifying provisions of the Hill Country Roadway Regulations in City Code Chapter 25-2.

QUESTION:

- 1) The Fiscal Note on the RCA for this item says "This item has no fiscal impact," but there are waived fees in the amount of \$1,026,852. Can staff confirm these fee waivers and explain the circumstances under which these fees were waived? The 1996 Settlement Agreement had an 2003 expiration date on the special exceptions; the first amendment which passed at Council on November 10, 2016 added new variances, extended those special exceptions, and granted an extension of ten years to those fee waivers. What is the value of those fee waivers in 2027 dollars should the owner choose not to develop until the end of the extension?
- 2) We would like understand the options that were available to our environmental staff when negotiating the amendment to the 1996 Settlement Agreement on this Champion tract; we would like to see a comparison chart between five (5) scenarios of applicable regulations:
  - a. 1993 Land Development Code,
  - b. 1996 Settlement Agreement,
  - c. First amendment to the Settlement Agreement prior to November 10, 2016,
  - d. Then the first amendment to the Settlement Agreement following the November 10, 2016 council vote, and
  - e. Current LDC (with the Hill Country Roadway Ordinance, current watershed ordinance, and tree regulations).

ANSWER:

- 1) There is no additional fiscal impact associated with the 2016 amended settlement agreement, as it does not amend the terms of the 1996 settlement agreement regarding fee waivers. The 1996 settlement agreement provided that the City would not "impose or require any filing, review, inspection, construction or notification fees with respect to any application for the

processing or approval of any subdivision, preliminary plans and final plats, resubdivisions or replats, site plans or site development permits, zoning or rezoning of the development of the subject property and all such fees are hereby expressly waived by the City.” The 1996 settlement agreement does not have an expiration date for the entitlements. Instead, the agreement requires the filing of a preliminary plan or other development permit within six years of the settlement, or by June 13, 2002, to lock in the entitlements. The final plat application for Tract 3 was filed on May 7, 2002.

2) Pending

#### QUESTION

- 1) Did the property owner agree to rigorous construction phase environmental controls to minimize environmental impact of construction? What are those controls? How are they enforced? When and how does the city monitor and determine those construction level controls have been implemented?
- 2) Did the property owner agree to prohibit fill in the tributary adjacent to City Park Road? Has the city confirmed the site does not already have fill in this tributary?
- 3) Does the modified settlement allow clearing of any trees in the 30 acre conservation easement?
- 4) Does the conceptual environmental exhibit in the draft ordinance in the back-up match and align with the site plan filed by the property owner in 2017, particularly with regard to the negotiated commitment to replace the uppermost apartment building and associated surface parking with leasing office?

COUNCIL MEMBER ALTER’S OFFICE

#### ANSWER

- 1) Part 5 of the proposed ordinance and Section III, new Section 2. G. 3 of the proposed amended settlement establishes construction phase environmental controls. The use of the controls are monitored and enforced through periodic required inspections and reporting, see subsection (11). The language reads:

3. The modifications listed in subsection g 1 and 2 of this Agreement are conditioned on implementation and compliance with the following environmental controls during the construction phase of the development. A site plan or building permit may not be approved, released, or issued if the development is not in compliance with the following:

- (1) Comply with current Environmental Criteria Manual (ECM) requirements for construction phase temporary erosion and sedimentation controls.
- (2) Install rough cut of water quality ponds before any other grading, except grading necessary to create the ponds, and grade so that all disturbed areas drain to these ponds.
- (3) Use rough cut ponds as settling basins with pumped discharge using a floating intake to a “dirt bag” or similar filtration prior to discharge to creek.
- (4) Ponds should be cleaned of accumulated sediment before sediment depth reaches a depth greater than 1 foot.
- (5) Use berms or similar methods prior to site grading to divert up gradient stormwater around limits of construction in a manner that distributes flow to prevent concentrated, erosive flow.
- (6) Incorporate methods from ECM, Appendix V, Fig. 1-1 for temporary erosion controls modified to accommodate the 10 year storm rather than the standard 2 year storm.
- (7) Apply mulch or similar cover on all disturbed areas as temporary

stabilization within 7 days of disturbance unless ready for permanent revegetation.

(8) For disturbed areas on slopes greater than 15% apply hydromulch with fiber reinforced matrix as temporary stabilization within 7 days of disturbance unless ready for permanent revegetation.

(9) Apply permanent revegetation using hydromulch with fiber reinforced matrix within 7 days of final grading.

(10) Comply with current erosion hazard zone code and criteria.

(11) All construction phase controls must be inspected at least every 7 days and within 24 hours of each rainfall event of ½" or greater. Inspection should be conducted by an independent Certified Professional in Erosion and Sedimentation Control (CPESC) inspector employed by the Owner, not the construction contractor. Inspector should provide a written report with recommendations to the general contractor and Owner and such report must be made available to the City upon request.

(12) Grading shall be phased to limit disturbed areas with construction beginning at higher areas of the site with disturbed areas temporarily stabilized prior to clearing and grading lower areas, except grading necessary to create temporary sediment ponds.

(13) Any access to City Park Road must span the tributary of Bull Creek from high water mark to high water mark.

(14) Mechanical equipment must be located at ground level or within buildings to reduce visibility and noise.

(15) Comply with the requirements in 25-8-281 (*Critical Environmental Features*) and 25-8-282 (*Wetland Protection*) and provide critical environmental feature buffers as shown in **Exhibit "2"**.

2) Pending with WPD staff

3) If approved, the proposed amended settlement agreement requires execution and recordation of a restrictive covenant covering the 30.071 acre see Exhibit A to the proposed amended settlement agreement. That restrictive covenant includes the following language:

1. Owner agrees not to construct any improvements or allow any development, other than for unimproved hiking trails less than 3 feet in width, wildfire management, or security concerns, on the portion of the Property described by metes and bounds in Exhibit "A" attached and incorporated into this covenant, provided that such allowed improvements or development comply with the City Code requirements in effect at the time of application. Such activities are limited to removal of brush and trees smaller than 8 inches in diameter.

4) The exhibit referenced is Exhibit C to the proposed amended settlement agreement. While it uses the conceptual environmental exhibit form, it is binding only as to the indication of CEF and Wetland buffers. The exhibit does not include the uppermost apartment building and associated surface parking that was required to be removed.

**18. Agenda Item #18:** Discuss and take appropriate action regarding the proposed Meet and Confer Agreement between the City of Austin and the Austin Police Association relating to wages, hours, and terms and conditions of employment for Austin Police Officers.

QUESTION:

How many sworn personnel fall under each bucket of rank and year. So how many Base (Year) Officer (Rank)? How many 1 Year Officers? How many 2 Year Officers? How may 11 Year

Commanders? Etc.. Also, can you delineate how many are "patrol" and therefore eligible for the proposed patrol stipend and how many are not in each bucket.

COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER:

According to APD's Pay Scale (A-6 in Contract)

**Pay Steps for Officers**

Vacant Positions = 79

1 year = 164 Officers

2 - 5 years = 262 Officers

6 - 9 years = 121 Officers

10 - 13 years = 73 Officers

14 - 15 years = 19 Officers

16 or more years = 47 Officers

**Total Officers assigned to Patrol = 765**

**Pay Steps for Corporal's**

Vacant positions = 1

4-5 years = 1 Cpl.

6 - 9 years = 13 Cpl.'s

10 - 13 years = 16 Cpl.'s

14 - 15 years = 10 Cpl.'s

16 or more years = 30 Cpl.'s

**Total Corporals assigned to Patrol = 71**

**Pay Steps for Sergeant's**

Vacant positions = 1

7 - 9 years = 0

10 - 13 years = 15 Sgt.'s

14 - 15 years = 12 Sgt.'s

16 or more years = 43 Sgt.'s

**Total Sergeants assigned to Patrol = 71**

**Regarding how may fall within the Patrol Stipend (as of today):**

Patrol Officers between 1-3 years of service = 366 (79 vacant) 4 or more years = 399

Patrol Corporal with 4 or more years of service = 70 (currently one vacant)

Patrol Sergeant with 4 or more years of service = 70 (currently one vacant)

The information above reflects the Austin Police department as of 10/2017

QUESTION:

Working off of the response given to CM Troxclair on item 18, please provide the number of patrol officers per range of years for each range of years under each officer classification . Please also provide the detail on vacancies for each range of year under each classification. Please provide for all classifications. Please also include the lieutenant and commander classifications in your response which were not previously included in the response to CM Troxclair. Please

also provide the number of officers eligible to retire from each officer classification as per the example below.

Example:

Pay Steps for Officers

Vacant Positions =79

1 year = 164 Officers How many vacancies are there in this total? How many of this total are patrol?

2 - 5 years = 262 Officers How many vacancies are there in this total? How many of this total are patrol?

6 - 9 years = 121 Officers How many vacancies are there in this total? How many of this total are patrol?

10 - 13 years = 73 Officers How many vacancies are there in this total? How many of this total are patrol?

14 - 15 years = 19 Officers How many vacancies are there in this range? How many of these are patrol?

16 or more years = 47 Officers How many vacancies are there in this total? How many of this total are patrol?

Total Officers assigned to Patrol = 765

How many patrol officers are eligible to retire?

Again, please provide the above for each officer classification, Police officer through Commanders.

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

**Pay Steps for Officers - The information previously submitted was for rank of officer only and only if assigned to Patrol sectors.**

**Vacant Positions =79 - These were all the vacant officer positions in Patrol on 09/27/17**

1 year = 164 Officers **How many vacancies are there in this total? 0 How many of this total are patrol? All are Patrol**

2 - 5 years = 262 Officers **How many vacancies are there in this total? 0 How many of this total are patrol? All are Patrol**

6 - 9 years = 121 Officers **How many vacancies are there in this total? 0 How many of this total are patrol? All are Patrol**

10 - 13 years = 73 Officers **How many vacancies are there in this total? 0 How many of this total are patrol? All are Patrol**

14 - 15 years = 19 Officers **How many vacancies are there in this range? 0 How many of these are patrol? All are Patrol**

16 or more years = 47 Officers **How many vacancies are there in this total? 0 How many of this total are patrol? All are Patrol**

**Total Officers assigned to Patrol = 765**

**How many patrol officers are eligible to retire? There are 11 officers assigned to Patrol with 23+ years of service. There are an additional 7 officers assigned to Patrol with 20+ years of service**

that could buy forward years to retire.

Again, please provide the above for each officer classification, Police officer through Commanders.

**Eligible to retire by rank (23+ Years)-does not include Assistant Chiefs**

Police Commander	7
Police Corporal/Detective	41
Police Lieutenant	22
Police Officer	33
Police Sergeant	43

**Eligible to retire by rank (20+ Years)-would require purchase of service time to 23 Years (includes those with 23+ listed above) - does not include Assistant Chiefs**

Police Commander	13
Police Corporal/Detective	100
Police Lieutenant	44
Police Officer	63
Police Sergeant	81

**Below are the current Officers through Commanders showing their current PAYSTEP number as referenced in Exhibit A-1 of the proposed agreement (as of 11/25/2017)**

<b>Police Commander</b>	<b>18</b>
<b>All year 17 and above</b>	<b>18</b>
180	1
190	2
200	1
210	2
220	1
230	6
240	1
250	1
260	3
<b>Police Corporal/Detective</b>	<b>381</b>
<b>Year 10-Year 13</b>	<b>76</b>
110	18
120	21
130	15
140	22
<b>Year 14 -Year 15</b>	<b>69</b>
150	19
160	50
<b>Year 16 &amp; above</b>	<b>190</b>
170	21
180	12
190	35
200	32
210	31
220	9

230	15
240	5
250	14
260	16
<b>Year 5-Year 9</b>	<b>46</b>
70	5
80	7
90	8
100	26
<b>Police Lieutenant</b>	<b>69</b>
<b>Year 13</b>	<b>1</b>
140	1
<b>Year 15</b>	<b>4</b>
160	4
<b>Year 16 &amp; above</b>	<b>64</b>
170	3
180	5
190	7
200	10
210	14
220	2
230	2
240	8
250	4
260	9
<b>Police Officer</b>	<b>1140</b>
<b>Base-under 1 year</b>	<b>72</b>
10	72
<b>Year 1</b>	<b>77</b>
20	77
<b>Year 10-Year 13</b>	<b>154</b>
110	58
120	36
130	24
140	36
<b>Year 14 -Year 15</b>	<b>69</b>
150	20
160	49
<b>Year 16 &amp; above</b>	<b>130</b>
170	20
180	15
190	18
200	23
210	12
220	4
230	10
240	7
250	9
260	12

<b>Year 2-Year 5</b>	<b>363</b>
30	133
40	73
50	112
60	45
<b>Year 6-Year 9</b>	<b>275</b>
70	51
80	55
90	68
100	101
<b>Police Sergeant</b>	<b>187</b>
<b>Year 10-Year 13</b>	<b>17</b>
110	4
120	2
130	5
140	6
<b>Year 14 -Year 15</b>	<b>25</b>
150	8
160	17
<b>Year 16 &amp; above</b>	<b>144</b>
170	22
180	3
190	20
200	19
210	24
220	4
230	14
240	4
250	11
260	23
<b>Year 9</b>	<b>1</b>
100	1
<b>Grand Total</b>	<b>1795</b>

22. **Agenda Item #22:** Authorize negotiation and execution of a 24-month lease renewal for approximately 3,495 square feet of shared office space for the Austin Police Department, Crisis Intervention Team, located at 4110 Guadalupe Street, Building 631, in Austin, Travis County, Texas, from the Texas Health and Human Services Commission, in an amount not to exceed \$39,072.

QUESTION:

Was the HealthSouth building considered as office space for APD's Crisis Intervention Team? Please provide detailed information about the needs required for the Team's office space.  
MAYOR PRO TEM TOVO'S OFFICE

ANSWER:

The Crisis Intervention Teams of APD and the Travis County Sheriff's Office have had a long-standing partnership. Since 2004, the two teams have shared space on-site at the Austin

State Hospital, the Texas Health and Human Services Commission facility located at 4110 Guadalupe Street. The City and the County share expenses equally, and the proposed lease renewal will continue the current City-County-State partnership through 2019.

Relocating APD's Crisis Intervention Team out of the shared space and into the former HealthSouth Building at 1215 Red River Street was not considered out of desire to continue collaborating and sharing resources with the State and County and due to the proximity of the current space to the patients at the Austin State Hospital.

APD's Crisis Intervention Team shares the 3,460-square-foot office space in Building 631 of the Austin State Hospital campus 50-50 with the Crisis Intervention Team of the Travis County Sheriff's Office. Accordingly, if APD CIT were to relocate, the Team would need a similar amount of office space near the Austin State Hospital, plus sufficient space for the County's Crisis Intervention Team to occupy during times of collaboration.

- 27. Agenda Item #27:** Authorize negotiation and execution of an interlocal grant sub award agreement with the University of Texas at Austin in the amount of \$148,000 for the City of Austin Community Based Crime Reduction Program.

QUESTION:

What council districts will the program take place in?  
COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

The program will take place in Council District 3 only.

- 28. Agenda Item #28:** Authorize negotiation and execution of a subaward agreement with Measure Austin in the amount of \$244,676 for the City of Austin Community Based Crime Reduction Program.

QUESTION:

1) Who is Measure Austin? 2) When was the organization created? 3) What related work have they completed? 4) Has the City contracted with them for other services? 5) If so, how did they perform? 6) How were they chosen for this contract?  
COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER:

1) MEASURE is an Austin-based, non-profit research and public education organization that uses technology, participatory action research, education and performance management to improve local public safety functionality and community needs.

2) MEASURE was founded by Jameila "Meme" Styles in 2015.

3) Example:

Community Policing Performance Measurement: Recommendations & Protocol.  
Jonathan Lin Davis, Meme Styles and Malick Djiba.

This brief concludes an assessment, evaluation and subsequent performance measure recommendations conducted by MEASURE©, a 501(c)3, on behalf of the Austin Police Department. Utilizing the "Final Reporting on Community Policing" by the Matrix Consulting Group (hereafter "Matrix"), the President's Task Force on 21st Century Policing and ongoing community engagement, conversations, and guidance on behalf of residents and community organizations, MEASURE© sought to establish meaningful, objective community-based performance measures to improve relations between the Austin Police Department and the

communities and residents that it serves.

4) No. Over the last two years, all work completed in coordination with APD/City to date has been in kind.

5) Measure's in kind contributions toward the advancement of public safety goals has been well received and recognized through several award processes, including:

2016 Austin Police Chief's Award of Excellence recipient

2016 Austin 40 under 40 Finalist

2017 Greater Austin Black Chamber of Commerce Community Leader of the Year for Measure

2017 CENTEX American Society

Public Administration: Public Service Innovation Award

2017 Black Austin Democrats: Beacon Of Light Award

6) After much consideration, Measure was selected to receive a subaward for the CBCR project for several key reasons:

- the core CBCR program goals, objectives, activities and measures requirements align with their mission and expertise
- the organization has the capacity and resources needed to successfully complete project deliverables
- the organization leadership is grassroots and community driven, and has the social capital necessary to engage with project partners as well as the dense and diverse populations of the target area
- over the last two years, the organization has been successful in building trust and positive connections between APD and the Austin community

**33. Agenda Item #33:** Approve negotiation and execution of an interlocal agreement with Austin Independent School District for the provision of educational and skill-building services in an amount not to exceed \$1,140,000, with four 12-month extension options in an amount not to exceed \$1,000,000 per extension option, for a total contract amount not to exceed \$5,140,000.

QUESTION:

What are the skill-building services that are provided through the Parent Support Specialist program? How are they measured?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

The program services for this agreement include the following:

1) Develop and Promote Family-Friendly Schools -PSS organize and conduct parent trainings to help parents navigate school systems; organize meetings to disseminate information and to gather input from them; and provide resources and referrals for AISD academic, social service and other support services as well as City resources.

2) Facilitate and Promote Parent Education and Conduct Communications and Outreach - PSS connect schools to parents and connect those parents to education and social service support resources via multicultural outreach efforts in collaboration with both district and City departments.

3) Develop Parent Leaders / PTA - PSS identify, develop and engage parent leaders and connect them to leadership opportunities at the school and within the District. They support and participate in Parent Teacher (Student) Associations (PTA and PTSA) and Austin Council of PTAs. In addition, PSS provide training for parents to become civically engaged in their community.

This is a new agreement and performance metrics that are being negotiated. The Parent Support Specialist program has used an evaluation instrument that measures on a Likert Scale whether or not a parent who participates in either life skills building or a parent education class has increased knowledge.

**33 and 38. Agenda Item #33 and #38:** Approve negotiation and execution of an interlocal agreement with Austin Independent School District for the provision of educational and skill-building services in an amount not to exceed \$1,140,000, with four 12-month extension options in an amount not to exceed \$1,000,000 per extension option, for a total contract amount not to exceed \$5,140,000. Approve negotiation and execution of Amendment No. 4 to the 37-month agreement with Austin Independent School District to increase funding for after-school enrichment services in an amount not to exceed \$967,367 for the period September 1, 2015 through September 30, 2018, and increase funding for the three remaining 12-month extension options in an amount not to exceed \$817,367 per extension option, for a total agreement amount not to exceed \$9,041,840.

QUESTION:

What is the eligibility criteria for each of these programs and are schools that meet those criteria from other school districts in the City eligible to apply for program funding?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

AISD: Parent Support Specialists (PSS)

Past eligibility for clients served in this program includes families, guardians, and community members from the campus and neighborhood of Title 1 schools within AISD. When necessary, PSS will also work with students on campuses in order to connect them with family-centered services or to better serve the parent or guardian.

AISD: Prime Time After School Enrichment

Prime Time will deliver out-of-school-time (OST) programming to the schools identified as Title 1 and schools the District has identified the student population as receiving 67% or greater free or reduced lunch. Once these schools have been identified using the parameters above, Prime Time will specifically target those schools that receive little or no OST program funding. All students at designated Prime Time campuses are eligible to participate in programming at these Prime Time schools. Prime Time will be offered throughout the academic year and during the summer on a District-wide basis at select schools based on campus availability. Prime Time Program Staff will provide City of Austin Contract Manager with list of identified "Prime Time" campuses by the start (October 1) of each program period.

The funding being added to both these agreements was directed by City Council and designated for AISD during the FY18 Budget process.

The original Prime Time After School Enrichment agreement was awarded through the 2014 Social Services RFA process. This process was open to any school district or entity serving individuals who reside in Austin and/or Travis County. Therefore any school district in the City is eligible to apply for program funding.

**39. Agenda Item #39:** Authorize negotiation and execution of an interlocal agreement with the Texas

Department of State Health Services to provide an oversampling in Travis County for the Texas Behavioral Risk Factor Surveillance System Survey in an amount not to exceed \$200,000 for the term of November 1, 2017 through September 1, 2020.

QUESTION:

Why is it the City's 1115 Medicaid Waiver Budget that is paying for Travis County oversampling as opposed to another 1115 Payer (i.e. Central Health)?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

The City of Austin's tobacco cessation 1115 waiver project has been the only project in DSRIP region 7 that relied on the BRFSS oversample to achieve the Category 3 evaluation milestones in the last iteration of DSRIP, which is why we have paid for the oversampling. We also utilize this data extensively in our chronic disease and epidemiology programs.

- 42. Agenda Item #42:** Authorize negotiation and execution of a fifth amendment to the interlocal agreement with Travis County for the provision of public health services for a nine-month term beginning January 1, 2018 in an amount not to exceed \$4,403,824.

QUESTION:

In what instances would program work statements and eligibility of reimbursed expenses need to be adjusted? How often does the need to make adjustments of these types occur?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

Normally, work statements and expenses are reviewed annually for needed modifications. This Interlocal Agreement comes to Council annually for approval. This year, due to some ongoing negotiations on terms, the City and County agreed to extend the FY17 agreement an additional 3 months to allow for completion of negotiations. This item is now coming back to Council for approval of the negotiated agreement for the remainder of FY18 (Jan-Sept).

- 45. Agenda Item #45:** Authorize negotiation and execution of multi-term contracts with American Facilities Services, Inc. and BHW Operating Company, LP, or one of the other qualified offerors to Request for Proposals MDD0102, to provide custodial services, each for up to five years for a total contract amount not to exceed \$4,700,000; divided between the contractors.

QUESTION:

What are the requirements included in the RFP in regards to wages and benefits?

COUNCIL MEMBER TROXCLAIR'S OFFICE

ANSWER:

Living wage was a requirement in the solicitation. All of the contractors' employees will at a minimum be paid the City of Austin's current Living Wage of \$14.00 per hour. Specific benefits were not required in the solicitation. However, as an element of the Offeror's Work Plans, the solicitation did request Offerors to describe their approach to retaining, rewarding and compensating their employees. Employee benefits were identified as one area of the Offeror's retention plans. Specifically the solicitation stated: "Describe your company's incentives, recognition, longevity, and benefits programs for employees. Outline your firm's plan for retention through financial incentives, including bonuses, merit raises and other increases to employee pay rates."

QUESTION

Will this be the first contract that the City has executed with American Facilities Services, Inc. and BHW Operating Company, LP?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

Both proposed vendors, American Facilities Services, Inc. and BHW Operating Company, LP, have had custodial contracts with the City in the past.

QUESTION:

Please provide information about any Department of Labor violations for American Facilities Services, Inc. and BHW Operating Company, LP over the past 15 years.

MAYOR PRO TEM TOVO

ANSWER

Staff does not have record of any Department of Labor (DOL) violations on either of the two recommended contractors. We have asked both contractors and are awaiting their reply. Staff have also checked with the DOL to inquire about any such violations with these companies but learned that it will take approximately a week to receive any reports in this regard. Checking with the DOL to inquire about the labor records of Offerors is not a current practice used during the solicitation process.

- 46. Agenda Item #46:** Authorize negotiation and execution of a contract with Asakura Robinson Company, LLC, to provide strategic housing blueprint implementation services, for a term of one year in an amount not to exceed \$130,000.

QUESTION:

Why are we going out for a contract for implementation of the Blueprint? Is it staff capacity, expertise, or both? When will Council receive a draft plan for implementation?

ANSWER:

- 1) It is both.
- 2) The draft plan for implementation will be in the timeline of deliverables in the consultants work plan.

- 47. Agenda Item #47:** Authorize negotiation and execution of a contract with Browne, Bortz & Coddington Inc. D/B/A BBC Research and Consulting, or one of the other qualified offerors to Request for Proposals JRH0110, to provide a regional assessment of fair housing, for a term of 14 months for a total contract amount not to exceed \$250,000.

QUESTION:

Was this budget allocation included in the proposed City Manager's budget during the FY 18 budget process? Other than the Housing Trust Fund, what are the other available funding sources for this contract?

MAYOR PRO TEM TOVO'S OFFICE

ANSWER:

Funding in the amount of \$100,000 for "A Consultant for Regional Fair Housing and Equity Assessment" was included in the City Manager's budget during fiscal year 2018 via the Budget Stabilization Reserve Fund specifically to conduct the Assessment of Fair Housing. The City will be reimbursed for approximately 75% of this contract from other regional governmental parties through the interlocal agreement approved by Council on June 15, 2017.

- 48. Agenda Item #48:** Authorize award and execution of a multi-term contract with Active Campus

LLC D/B/A All Campus Security, to provide closed-circuit television cameras and equipment, for up to three years for a total contract amount not to exceed \$456,000.

QUESTION:

What are the locations for the closed-circuit television cameras? How many will be purchased?  
COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

This contract will allow for the purchase of approximately 150 closed-circuit television (CCTV) cameras annually which will be installed by City staff or by one of its contractors. These CCTV cameras are used to monitor traffic flow on Arterial roadways allowing staff at the Transportation Management Center to respond to issues sooner and provide information to responding technicians. Specific locations for these CCTV's are still being determined however they will be installed City-wide. The primary locations of cameras purchased early in the contract will be installed along critical arterials using Quarter Cent funds identified by the Mayor's office.

- 54. Agenda Item #54:** Authorize the negotiation and execution of an interlocal agreement with the Austin Independent School District (AISD) to contribute up to \$353,462.26 from fees collected by the City from Austin's cable providers for public, educational, and governmental access channels to AISD's purchase of equipment necessary for the operation of the AISD educational access channel.

QUESTION:

What is the full budget for the cable provider fees collected by the City? Are these fees collected only from cable television customers, or also cable internet customers?  
COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

Total Public, Educational, and Governmental (PEG) Access fees based on 1% of cable television providers' gross revenues in FY 2017-1018 are estimated at \$1,900,000.00. The four providers are Charter/Spectrum, (formerly Time Warner Cable), AT&T U-Verse, Grande Communications, and Google Fiber. The PEG fees can only be used by the City for capital purchases related to the provision of the City's PEG channels that are carried by the cable television providers. The PEG fees are in addition to the cable franchise fees that are paid based on 5% of the providers' gross revenues, both of which are passed through to cable television customers. Unlike the PEG fees, there are no restrictions on how the franchise fees can be used, and they are deposited into the City's General Fund. Since 2005, Cable television services in the City have been regulated by the Public Utility Commission of Texas under TITLE 2. PUBLIC UTILITY REGULATORY ACT, Subtitle C., Chapter 66.

The City does not receive any fees from internet service providers or cable internet service customers.

There are seven total PEG channels in Austin-three public access channels provided under contract by the Austin Film Society/Austin Public, one city governmental channel provided by ATXN (City channel 6), one county governmental channel provided by Travis County, and two educational channels, one provided by Austin Community College, (ACC), and another by the Austin Independent School District, (AISD).

The PEG fee expenses for 2017-2018 are budgeted as follows:

Fund-Department-Unit Object Code	Budgeted Amount	Description
7110-7300-4121-9051	\$ 300,000	Austin Film Society/Austin Public -capital equipment
7110-7300-4121-9051	\$ 355,000	AISD-capital equipment
7110-7300-4121-9051	\$ 100,000	PEG Channel Master Control equipment (City Hall basement)
7110-7300-4121-9051	\$ 100,000	Contingency Fund-capital equipment
7110-7300-5909-9043	\$ 7,000	ATXN-capital software
7110-7300-5909-9051	\$ 600,000	ATXN-capital equipment
TOTAL	\$1,462,000	TOTAL FY2018 PEG Capital Equipment.

- 55. Agenda Item #55:** Authorize payment of the City's membership fees for Fiscal Year 2017-2018 to the Greater Austin-San Antonio Corridor, which promotes the region's economic development, in an amount not to exceed \$100,000.

QUESTION:

What is the mission of the membership organization? What outcomes can the City expect to see as a return on investment?

COUNCIL MEMBER TROXCLAIR'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. The City of Austin, Capital Metro, CARTS, Travis and Williamson County and numerous private sector partners represent the Austin area or north end of the Council membership.

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.

2017 Highlights Include:

- Hosted public presentation on the *"Proposed IH-35 Capital Express Managed Lanes Project Through Central Austin"* for policy makers between Austin and San Antonio to build awareness of the project by regional partners and engaged with San Antonio Mobility Coalition and the San Antonio Chamber of Commerce to enlist their support.
- Continued efforts to develop, with the Texas Department of Transportation and local governments, more connected routes to State Highway 130 as a means of alleviating congestion on Interstate 35 through Central Austin (Highway 46 Extensions/New Braunfels Connector).
- Developed public presentations and resolutions in support of IH-35 Improvement Projects in Austin and into downtown San Antonio from Loop 1604.
- Issued two new studies and reports on available remaining Rail Options and Ridership Pricing Sensitivities for the Austin-San Antonio Corridor, both aimed at gauging private sector approaches to needed passenger and freight rail improvements in the Corridor.
- Completed review, chronologies and database indexing for transfer to the Texas

Department of Transportation of all accumulated data for Austin-San Antonio rail projects (reports, engineering designs, ridership models, draft environmental review documents, financial records and studies, contracts, proposals, financing agreements, cost and revenue projections, etc.) for use in new planning study by the Austin and San Antonio Metropolitan Planning Organizations.

- Hosted three large public events on Connected and Autonomous Vehicles including a conference with nationally-known experts on “*Self-Driving Vehicles: Are We There Yet?*” aimed at preparing local governments for the advent of new automotive technologies.
- Completed preliminary planning and speaker bookings for the next Connected-Autonomous Vehicles (CAV ) Conference scheduled for January 31, 2018 in Travis County on the economic impacts and economic development opportunities available to Austin-San Antonio companies from CAV technologies.
- Co-Sponsored or participated in multiple regional infrastructure and regional economic development events such as the 2017 Texas Legislative Conference, Transportation Advocates of Texas, Texas Rail Advocates, Texas Mobility Summit, the Global Mobility Sustainability Conference, and TxDOT’s Annual Texas Transportation Summit.
- Prepared and published 50 weekly reports to more than 2000 members, local elected officials, and city/county employees on regional developments in infrastructure, economic development, and state or federal legislative activities relevant to the Austin-San Antonio Corridor Communities (the Monday Morning Report).

57. **Agenda Item #57:** Authorize award and execution of a construction contract with DeNucci Constructors, LLC for the 2016 Bond - ATD Bolt Down Device Indefinite Delivery/Indefinite Quantity project in the amount of \$450,000 for an initial two-year term, with two one-year extension options of \$200,000, for a total contract amount not to exceed \$850,000.

QUESTION:

What section of the Mobility Bond do these services fall under?

COUNCIL MEMBER TROXCLAIR’S OFFICE

ANSWER:

The ATD Bolt Down Device Indefinite Delivery/Indefinite Quality contract falls, generally, under the Local Mobility category (funded at \$137 million) of the 2016 Mobility Bond program. This contract provides for the installation of various traffic control devices for bikeways and safety projects including: flexible delineator posts; raised pavement markers; bicycle racks; bicycle corrals; pavement markings; speed cushions; and other devices, including incidental and associated construction.

62. **Agenda Item #62:** Approve a resolution directing the City Manager to create a plan to periodically assess existing City regulations and rules.

QUESTION:

Does the work contemplated in this Resolution duplicate work that is already occurring at the City, such as the work being conducted by the Office of Performance Management?

What is the estimate amount of time and resources required to implement this Resolution?

MAYOR PRO TEM TOVO’S OFFICE

ANSWER:

**Does the work contemplated in this Resolution duplicate work that is already occurring at the City, such as the work being conducted by the Office of Performance Management?**

The Office of Performance Management (OPM) is responsible for supporting the organization's efforts toward operational excellence and continuous improvement. Its core functions include: strategic planning, performance measurement/data analytics, and process improvement. The Council is very familiar with the strategic planning work underway (details can be found at <http://austinstrategicplan.bloomfire.com>). The City's performance measurement program has been in place since the late 1990s but the creation of OPM has allowed for a far more concerted focus on how we develop and utilize metrics throughout the organization. In addition, the team includes a data analytics expert that has significantly increased our ability to examine performance measure data, survey results, and other data sources in a far more consequential way. Finally, the process improvement work is grounded in highly data driven Lean practices, an approach to work that focuses on customer value, optimization, and the elimination of waste (such as unnecessary steps, rework due to errors, and underutilization of capabilities) without sacrificing productivity and quality. It empowers employees to make positive changes in our work processes to reduce unnecessary steps, identify barriers (such as challenging rules and regulations), and decrease associated work time and costs. The combination of these functions allows the organization to assess its services in both retrospective and forward-looking ways.

Much of the content of the resolution is in alignment with the City's and OPM's responsibilities and goals to better align services with the strategic outcomes and assess work processes (existing and new) to identify opportunities for optimization and elimination of waste. By continuing the utilization of the combination of OPM functions noted above, it allows for the continuous review of rules, regulations, and policies with a lens of continuous improvement, with the context of the related work processes, and always with customer (citizen) value in mind. Furthermore, these functions and skills are being integrated into how the organization regularly operates without the need for additional programs and associated resources. However, while OPM efforts are in alignment with the intent of the resolution, it does not have a systemic review process in place as described in the resolution. Finally, the small size of the office (5 FTEs) means it would be unable to undertake the scope as currently proposed.

### **What is the estimated amount of time and resources required to implement this Resolution?**

It is difficult to provide an informed estimate of required time and resources, as the scope of this resolution is broad in nature and difficult to immediately parse out. However, in general terms, this will be an intensive research and analysis effort, and will undoubtedly require substantial staff time to complete in the timeframe prescribed. Staff would recommend a more narrowly tailored pilot that would focus on specific policy areas. This would also allow staff to conduct a preliminary evaluation of the needed resources and potential timeline. It should be noted that this work will occur concurrently with other major organization-wide projects including, but not limited to, passage of CodeNEXT, adoption and implementation of the Strategic Plan, and organizational transition of a new City Manager. In addition, the efforts currently being piloted through the Equity Office will accomplish some of this work as well.

- 89. Agenda Item #89:** Authorize execution of an interlocal agreement with the Texas Facilities Commission for development of Phase One of the 2016 Texas Capitol Complex Master Plan.

#### QUESTION:

How many state public hearings were conducted since 2013? What dates were the public hearings, how many people testified at each, what were their names, and where do they reside?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

See attachment.

QUESTION:

1. Part of the rationale for the state project is to move state workers from leased space to state-owned properties thereby saving the state money over the long haul. How much leased office space do you expect to vacate in each phase?
2. Please clarify whether the owners of the spaces currently leased by the state pay city property taxes. If not, please provide a reasonable estimate of what the property values are currently and how much taxes we are currently forgoing (and then might reasonably expect to accrue in the future).
3. Please provide that information for all relevant public taxing entities.
4. Please provide the addresses of the currently leased space that the state expects to vacate.
5. Item 26 asks us to waive \$6.8 million in temporary use of right-of-way permit fees. Does that amount cover more than just phase I?
6. If not, would we expect additional ROW fees to be needed in subsequent phases.
7. Would those fee waivers require Council approval?
8. Please provide a list of all properties owned by the Texas Facilities Commission.

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

1. The following response was provided by the Texas Facilities Commission:  
Upon completion of Phases One and Two the State will vacate approximately 1.2 million square feet of leased space (700,000 square feet in Phase One, and 500,000 square feet in Phase Two).
2. The following response was provided by the Texas Facilities Commission:  
All properties in which TFC leases space on behalf of State agencies pay property taxes except one 110,400 NSF lease where the building owner was to obtain an exemption.
3. The following response was provided by the Texas Facilities Commission:
4. See attached Exhibit A
5. No; the fee estimates are only for Phase 1.
6. The following response was provided by the Texas Facilities Commission:  
Until such time as funding for Phase Two of the Capitol Complex development is authorized, it is unclear whether fee waivers will be requested from the City.
7. Yes
8. The following response was provided by the Texas Facilities Commission: See attached Exhibit B

QUESTION

1. Please provide documentation which describes how the City of Austin can gain access to the funds in the Balance Owed by column. Provide examples of exactly what the funds can be used for. What are the limitations to the use of the funds?
2. Will the Texas Facilities Commission be amenable to establish a toll free number and an

email address for constituents to report concerns, issues or give feedback?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER

1. Texas Government Code Sec. 2166.052 contemplates a ledger system by which the City and the Texas Facilities Commission (TFC) can exchange property interests. A credit on this ledger can be used against an acquisition of a future property interest from TFC. Currently, credits on the ledger cannot be used against the acquisition of property interests from any other state agency.
2. The following response was provided by the Texas Facilities Commission:  
The project website (<https://www.tfc-ccp.com/>), already in operation, includes an email address for anyone to ask questions, report concerns, or provide feedback. Once construction begins, a phone number will be added. Both the email address and phone numbers will be included in any outreach efforts..

QUESTION:

1. Please provide additional information regarding the estimated relocation costs for the trees evaluated for transplant in the Capitol Complex.
2. Is the State willing to agree to compensate the City of Austin for the actual cost at the time of the relocation in the event relocation exceed \$130,500?
3. Will the State compensate the City of Austin to ensure that the trees live?
4. Please confirm the total number of trees in the project area that are proposed for removal as a part of the Capitol Complex project. How many of the trees proposed for removal are in the City's right-of-way? Of the trees proposed for removal in the City's right-of-way, how many are Heritage trees?
5. Please provide a description of what was factored into the estimated relocations costs.
6. Do the estimates include changes in value over time?
7. Where are the trees going to be transplanted?
8. What is the condition of the Heritage trees in City right-of-way and where are they located?
9. What is the City Arborist's recommendation regarding saving the Heritage trees in the City's right-of-way?
10. What are the estimated mitigation requirements for trees proposed for removal in the City's right-of-way?

COUNCIL MEMBER POOL'S OFFICE

ANSWER:

1. The City of Austin partnered with the Waller Creek Conservancy to develop the previously provided relocation estimates for the trees identified as candidates for transplant.

The relocation estimates include costs associated with:

- Preparing the trees for relocation, including root pruning, canopy pruning, fertilization, mulching, root collar excavation and up to six months of watering
- Transport of trees to the planting sites at Waterloo Park and installation
- Backfill and irrigation drip tubing installed on root balls
- A \$30,000 allowance (total) for all traffic control, right-of-way permitting, and traffic signal removals
- Maintenance for one-year

We have attached the full analysis prepared by dwg, the local landscape architect firm supporting Michael Van Valkenburgh Associates (MVVA) with the restoration and redevelopment associated with the Waller Creek Master Plan. (ATTACHMENT)

2. The following response was provided by the Texas Facilities Commission:  
The sum noted in the Interlocal Cooperation Agreement Section 1.5.7 - Tree Preservation, is considered a lump sum and not to exceed payment to be made upon completion of the removal and relocation of the designated tree(s). If the actual cost of tree relocation exceeds this amount, TFC will not cover the difference. If actual costs are less than this amount, TFC will still pay this amount.

3. The following response was provided by the Texas Facilities Commission:  
Responsibility for the relocation of the trees and their ongoing survival rests with the City and their assigns.

4. The following response was provided by the Texas Facilities Commission:  
There are 63 trees scheduled for removal as part of the project. As noted in Section 1.5.8 - Tree Planting, the project will plant over 300 new trees totaling over 1,300 caliper inches. Of these new trees, over 250 are Heritage species as defined by City ordinance. There are 33 trees in the City's right-of-way scheduled for removal. Of those, 8 are defined as Heritage trees per City ordinance.

**\*Note from COA Staff: Based on the City's analysis of the information provided by the Texas Facilities Commission, staff identified 29 trees within the City's right-of-way proposed for removal, two of which were identified as Heritage trees.**

5. The relocation estimates include costs associated with:
- o Preparing the trees for relocation, including root pruning, canopy pruning, fertilization, mulching, root collar excavation and up to six months of watering
  - o Transport of trees to the planting sites at Waterloo Park and installation
  - o Backfill and irrigation drip tubing installed on root balls
  - o A \$30,000 allowance (total) for all traffic control, right-of-way permitting, and traffic signal removals
  - o Maintenance for one-year

We have attached the full analysis prepared by dwg, the local landscape architect firm supporting Michael Van Valkenburgh Associates (MVVA) with the restoration and redevelopment associated with the Waller Creek Master Plan. (ATTACHMENT)

6. The estimates do not include changes in value over time.
7. Trees selected for relocation will be transplanted to Waterloo Park. Please see the analysis prepared by dwg for additional detail regarding potential placement.
8. Staff identified two Heritage trees in City Right-of-way, a 29-inch American Elm and a 24-inch Live Oak. The 29-inch American Elm is located at the northwestern corner of 17th St. and Congress Avenue and is in poor health. The 24-inch Live Oak is located on the eastern side of Congress Avenue between 17th and 18th St. and is in average health. See attached graphic. (ATTACHMENT)
9. It was determined by City staff and an external assessment that other trees within the project area are better candidates for transplant than the Heritage trees in the City's right-of-way.
10. Based on the City's analysis of the information provided by the Texas Facilities Commission, staff identified 29 trees within the City's right-of-way proposed for

removal.

Of the 29 trees, staff identified two as Heritage trees:

- 29-inch American Elm
- 24-inch Live Oak

Presuming the trees are in good condition, the following mitigation totals apply (standard rates from the Environmental Criteria Manual):

- 2 Heritage Trees totaling 53 inches x 3 159 inches
- 10 Protected Trees totaling 172 inches 172 inches
- 17 Small Trees totaling 224 inches x .5 112 inches

(Note: three of these trees are proposed for transplanting)

Total 443 inches

QUESTION:

1. Has the Texas Facilities Commission team coordinated with the City of Austin Music Office ON strategies for sound mitigation for the proposed amphitheater?
2. Will the State agree to a term in the interlocal agreement that commits to voluntary compliance with City sound regulations for performances at the Capitol Complex amphitheater?

MAYOR PRO TEM TOVO'S OFFICE

ANSWER:

1. The following response was provided by the Texas Facilities Commission:

The Texas Facilities Commission (TFC) has confirmed with its master architect, Page, that there has been no coordination with the City of Austin (CoA) Music Office on sound mitigation strategies for the proposed amphitheater. However, they are familiar with the system the music office presented earlier this year and this very same system is what is being contemplated for the amphitheater. The following statement came from Chad Himmel, PE, who works for JE Acoustics, a subconsultant to Page:

*"...I too have not attended any of those presentations. Was invited by the music office's David Murray to go listen to a JBN sound ceiling system March 27th, but unfortunately was a short notice invitation and I was not able to attend. If this is the same system that you are implementing, there is some web info about it out there, in case this helps:*

[<http://www.ibnsoundsolutions.com/>](http://www.ibnsoundsolutions.com/)

*I've talked to a couple of people who attended one of the presentations, who said that walking in and out of the system's mostly downward sound throw, is like walking in and out of a closed room with music playing, but with no doors."*

TFC has not yet solicited for Architect of Record services for Package 6, which includes the mall and amphitheater. Once this Architect of Record is selected and under contract TFC is open to meeting with the CoA Music Office to discuss and review any additional

sound mitigation strategies that can be incorporated into the amphitheater design.

2. The following response was provided by the Texas Facilities Commission:

Primary responsibility for the operation of the Texas Mall will rest with the Texas State Preservation Board (SPB), a State agency separate and distinct from TFC. TFC is not authorized to enter into agreements on behalf of a separate agency and therefore cannot commit to comply with City sound regulations. It is noted that SPB is the agency that oversees the operation of the Bob Bullock Museum, Capitol Building and Governor's Mansion, all of which have hosted outdoor performance events that included music and amplified sound systems. In these events SPB has demonstrated a sensitivity to sound transmission and hours of operation which we believe will be continued for events on the Texas Mall.

QUESTION:

Would it be possible for you to provide one document that lists the following:

- Cash payments - every cash payment the State (or TFC) is anticipated to pay for during Phase One and what the payment is for (this includes permit fees, inspection fees, etc).
- Ledger transactions - every estimated fee and what the fee is for that is expected to be waived by the City and added to the ledger between the City of Austin and the TFC.

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

Cash payments:

The Texas Facilities Commission will pay all fees tied to a cost service for all aspects of Phase One of the Capitol Complex project. As previously noted, City regulations and building review/ permitting requirements do not apply to State construction projects on State land. The City will not be reviewing or permitting the buildings proposed for Phase One. The City will review, permit and collect fees associated with all work in the City's right-of-way (see response to question below from CM Kitchen). Those fee types include, but are not limited to:

- o Review and inspection of relocated City utilities
- o Review and inspection of any temporary City utilities required
- o Review and approval of water/ wastewater service extension requests
- o Review and inspection of traffic control plans
- o Permitting and inspections for excavation in City right-of-way
- o Review of any needed license agreements for items such as temporary suspension utility crossings and tie-backs

In a previous response provided to Council in June 2017, the estimated amount of the fees associated with the fees described above was \$492,224. However, with the recent FY 2017/18 budget adoption, fees have changed, and a new estimate has not been computed.

Ledger transactions:

The only fees proposed for waiver are temporary use of-right-of way permit fees which are fees assessed for temporarily closing public right-of-way. Over a five year period, those fees are estimated to be \$6.8M. Attached is a detailed accounting of the associated calculations. This document was also submitted as backup to Item 27. All costs for staff

review of traffic control plans and staff inspections associated with closing public right-of-way are not proposed to be waived.

QUESTION

Please provide a list of administrative City actions that would be required for the development of Phase One of the Capitol Complex Master Plan.

COUNCIL MEMBER KITCHEN

ANSWER:

Because this is a State project, all administrative City actions would be limited to review, approval, and inspection of applications, plans, and construction for all work in the City's right-of-way. Examples of the work to occur in the right-of way and the associated administrative functions include:

- Review, approval, and inspection of relocated City utilities
- Review, approval, and inspection of any temporary City utilities required
- Review and approval of water/ wastewater service extension requests
- Review, approval, and inspection of traffic control plans
- Review, approval and inspection of excavation in City right-of-way
- Review and approval of any needed license agreements for items such as temporary suspension utility crossings and tie-backs

QUESTIONS FROM WORK SESSION

Please confirm the total number of State employees being relocated to the Capitol Complex broken down by those that are currently in the downtown area and those that are being relocated from other areas of the City.

ANSWER:

The following response was provided by the Texas Facilities Commission:

Due to the high costs of leases in the downtown area, only one agency is located there and they include 26 employees. The remaining approximately 3,400 employees are located outside the downtown area. Specific lease locations around Austin and the State of Texas can be found on TFC's website at:

<http://www.tfc.state.tx.us/divisions/facilities/prog/leasing/leases-map.html>

•

- 98. Agenda Item #98:** Approve a resolution directing the City Manager to negotiate and execute an interlocal agreement with the Texas Department of Transportation (TXDoT) to initiate a pilot program to address public health and safety issues under and near TXDoT property near the US290/SH 71 overpass at Manchaca Road and Packsaddle Pass.

QUESTION:

Please provide information regarding the components of the interlocal agreement, as well as, a draft of the interlocal agreement, if available.

MAYOR PRO TEM TOVO'S OFFICE

ANSWER:

One component will be to allow (not require) the City of Austin to act as an agent of TXDoT to enforce no trespassing ordinances.

There is currently no draft ILA. That is to be negotiated and executed, but should be based on an MOU presented by TXDoT to the City.

- 101. Agenda Item #101:** C814-2017-0024 - Holdsworth Center PUD - District 10 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4907 RM 2222 Road (Lake Austin Watershed). Applicant's Request: To rezone from Lake Austin residence (LA) district zoning and single family residence-standard lot (SF-2) district zoning to planned unit development (PUD) district zoning. First Reading approved on November 9, 2017. Vote: 11-0. Owner/Applicant: Holdsworth Center For Excellence In Education Leadership, LLC. Agent: Armbrust & Brown, PLLC (David Armbrust). City Staff: Wendy Rhoades, 512-974-7719

QUESTION:

- 1) After 5 years how do we trigger reevaluation of compliance with the traffic demand management (TDM) program and remedy any potential noncompliance?
- 2) Since the TDM program appears to max out at \$60,000 over the course of five years, does it just cost \$12000 a year to violate? What would the money go towards? What would govern it?
- 3) If the PUD is in non-compliance of the TDM, could staff "red-tag" the property as being not in compliance or the ordinance until they comply? If so, please explain the process and criteria that would need to be met to trigger that action.

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

- 1) Negotiations with the applicant, it was understood that event attendees who exceed the maximum number of daily allowed trips will not be permitted to attend future events, thus self-regulating this concern. Five years of operation is considered reasonable for the Landowner to establish proper procedures to stay in compliance with the TDM program.
- 2) The maximum annual penalty is \$12,000. This money may go toward operating charter vehicle service from around the state to the site, educating event attendees of the site access requirements, and other measures determined to be appropriate after evaluation.
- 3) The City does not currently have a "red-tag" process for TDM compliance; such language would need to be in the TDM program if desired.



## Recommendation for Action

**File #: 17-1579, Agenda Item #: 3.**

12/14/2017

### Agenda Item

**Agenda Item #3:** Authorize negotiation and execution of a 15-year power purchase agreement with a subsidiary of INTERSECT POWER for the full output of electricity from a utility-scale solar generation facility with capacity of 150 to 180 megawatts, in an estimated amount of \$10,000,000 to \$12,000,000 per year, and a total estimated amount of \$150,000,000 to \$180,000,000.

### QUESTION:

- 1) How does this price compare to all other generation sources in the Texas market?
- 2) Understanding that the energy market in Texas is dynamic, how will this purchase - in terms of impact to customer bills in the next 5 years - compare to other generation sources?
- 3) Of the 400 proposals, was this the most affordable for Austin Energy customers?
- 4) If the City did not choose the most affordable contract, why not?
- 5) Does the City start paying immediately, or do we start making payments upon when the project begins commercial operation in 2020?

COUNCIL MEMBER TROXCLAIR'S OFFICE

### ANSWER:

- 1) This is the lowest priced solar power purchase agreement (PPA) in Texas to date. It is more economic than owning a new natural gas combined cycle in a \$3 natural gas market. General Manager Jackie Sargent informed Council members of this PPA at the November meeting of the Austin Energy Utility Oversight Committee; however, consideration has been expedited due to the pricing terms reached through negotiations. The price is confidential under the contract.
- 2) This solar power will impact customer bills after Power Supply Adjustment (PSA) year 2020 (in effect, 2022 based on current methodology). We expect a positive impact to the customer bill by lowering PSA costs to the tune of 1%. The PSA is approximately 1/3 of a customer's bill. The true impact will be based on market prices in that time period.
- 3) Yes, it is the most affordable and provides the most value to Austin Energy customers when taking into account expected net generation revenue and congestion benefits.
- 4) The recommendation is the most affordable contract.
- 5) The City pays for energy produced after commercial operation in 2021.



## Recommendation for Action

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**File #:** 17-1595, **Agenda Item #:** 5.

12/14/2017

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### **Agenda Item**

**Agenda Item #5:** Approve an ordinance amending Section 11-2-7 of the City Code relating to the allocation of Hotel Occupancy Taxes for authorized uses.

### **QUESTION:**

Can staff provide the full bond covenants cited in Part 1(C) of the draft ordinance? Please notate or highlight the specific sections of the covenants that dedicate the hotel tax to the bond debt and the sections that create the restriction that the City cannot dedicate additional funding beyond what is necessary to serve the debt.

COUNCIL MEMBER TROXCLAIR'S OFFICE

### **ANSWER:**

Pending.



## Recommendation for Action

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**File #:** 17-1585, **Agenda Item #:** 6.

12/14/2017

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### Agenda Item

**Agenda Item #6:** Authorize negotiation and execution of a professional services agreement with AECOM Technical Services, Inc., (staff recommendation) to provide consulting services for the Austin-Bergstrom International Airport Terminal Centralized Baggage Handling System Design Criteria Manual project in an amount not to exceed \$700,000.

### QUESTION:

What price did the other bidders provide as a cost of performing this service? How did the other bidders compare to this bidder in terms of the cost to provide the service?

COUNCIL MEMBER HOUSTON'S OFFICE

### ANSWER:

Per Texas Professional Service Procurement Act, TX Government Code 2254, Professional Services agreements must be selected using a qualifications-based evaluation process. AECOM was determined by a cross-functional panel of City staff to be the best-evaluated, and therefore the most-qualified contractor, for this project. If Council approves staff to move forward with negotiation and execution of an agreement, staff will work with the sponsor department, the project manager, and the consultant to come to a fair and reasonable price for this project, or will move to the next-best evaluated consultant that submitted on this solicitation. Therefore, at this point in the process, there are no prices to compare between consultants based on the Professional Services nature of this procurement. The \$700K budget was developed by staff based on the scope of work the selected consultant will ask to perform.



## Recommendation for Action

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**File #:** 17-1598, **Agenda Item #:** 7.

12/14/2017

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### **Agenda Item**

**Agenda Item #7:** Authorize award and execution of a construction contract with Smith Contracting Co., Inc., for the Upper Boggy Creek Trail Phase 1 project in an amount of \$2,490,028.00, plus a \$249,002.80 contingency, for a total contract amount not to exceed \$2,739,030.80.

### **QUESTION:**

Is the Disadvantaged Business Enterprise Program the same as our minority business program that we usually see on RCA's? Please explain. Why are the organizations named in the RCA singled out/highlighted for the input process?

COUNCIL MEMBER ALTER'S OFFICE

### **ANSWER:**

The Disadvantaged Business Enterprise (DBE) Program is the federal equivalent to the City's MBE/WBE Procurement Program. The DBE Program was established by the U.S. Department of Transportation to provide a mechanism to increase the participation by minority and women-owned business enterprises in state and local procurements receiving federal transportation funds. The U.S. Department of Transportation's DBE regulations require state and local agencies that receive Department of Transportation funding to establish goals for the participation of DBEs in procurements receiving these funds. In addition, state and local recipients also certify the eligibility of DBE firms to participate in these projects. The Small & Minority Business Resources (SMBR) Department is one of six certifying agencies in the State of Texas conducting the certification of DBE firms. The main objectives of the federal DBE Program are: 1) ensure disadvantaged business enterprises (DBE) can compete fairly for federally funded transportation-related projects; 2) ensure that only eligible firms participate as DBEs; and 3) assist DBE firms in competing outside the DBE Program.

The Public Works Department reached out to a various community stakeholders on this project. The organizations named in the RCA were included in the outreach process due to their close proximity to the project. As well these particular organizations have had major involvement in the petitioning for improvements of the existing trail. Multiple neighborhood groups we included in the public outreach for this project as well.



## Recommendation for Action

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**File #:** 17-1602, **Agenda Item #:** 8.

12/14/2017

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### Agenda Item

**Agenda Item #8:** Authorize award and execution of a construction contract with Cash Construction Company, Inc., for the Burleson Road Pressure Conversion Phase 1 project in the amount of \$4,736,700, plus a \$236,835 contingency, for a total contract amount not to exceed \$4,973,535.

### QUESTION:

Does the City have a long-term or masterplan relating to reclaimed water infrastructure or other capital projects?

COUNCIL MEMBER TROXCLAIR'S OFFICE

### ANSWER:

The project has long been a component of Austin Water's long-term master plan for the reclaimed water program. We also use a document entitled "Completing the Core" that identifies which projects in the long-term master plan we are focusing on in the next few years. The Burleson Road Pressure Conversion Phase 1 is included in Completing the Core. Each year Austin Water updates its five-year Capital Improvement Plan. The Burleson Road Pressure Conversion Phase 1 has been included in Austin Water's CIP planning efforts. The Burleson Road Pressure Conversion Phase 1 project is important to Austin Water because it opens new areas of the City to potential customers, especially along Burleson Road and along FM 973 to the east of the airport. The project is also a component of a core loop of mains that provides reliable service to existing and future customers.



Recommendation for Action

**File #:** 17-1586, **Agenda Item #:** 13.

12/14/2017

**Agenda Item**

**Agenda Item #13:** Approve an ordinance amending the Fiscal Year 2017-2018 Economic Development Department Cultural Arts Fund (Ordinance No. 20170913-001) to increase expenditures by \$240,000 in order to provide funding for Council Budget Rider C-29 related to expanded hours at Parks and Recreation Department Cultural Centers for artists and arts programs that attract tourists and convention delegates.

**QUESTION:**

How was the (Deficiency) of Total Available Funds amount, (\$1,933,063), in the "2017 - 18 Approved" column obtained?  
COUNCIL MEMBER HOUSTON'S OFFICE

**ANSWER:**

The excess (deficiency) of total available fund over total requirement is calculated, total available funds less total requirements (\$11,116,937 - \$13,050,000).

The Cultural Arts Fund has a positive end balance due to the beginning balance of \$3,986,941.

**QUESTION**

What metrics will be in place to measure whether increased hours at cultural centers is having a positive impact on the "promotion of arts programs to tourists and convention delegates."

COUNCIL MEMBER TROXCLAIR'S OFFICE

**ANSWER:**

All artists and/or arts organizations using the Artist Access Program will be artists and/or organizations that are approved contractors for the Economic Development Department's (EDD) Cultural Funding program, and are required to follow the guidelines established for promoting Cultural Tourism.

Extending the hours of the cultural centers requires the assistance of two temporary workers per facility-one technical support worker and one arts administrator, who will provide marketing support for the artists, posting their listings widely for tourists to access. The number of listings that the arts administrators post on behalf of the artists and/or arts organizations will be used as one performance metric in evaluating the impact of the extended hours on the "promotion of arts programs to tourists and convention delegates."

An annual report will be required within thirty days of the programming cessation, no later than October 30th of any given fiscal year. The report will require proof of award and match monies expended, proof the funded programming was executed, a variety of demographic data, and documentation as to the use of required publicity verbiage and logo.

Demographic data includes the following (but is not limited to):

1. Audience Data
  - a. Total Directly Served
  - b. Demographic information
  - c. Special Constituencies

- d. Total number of Tourists (state, national and international)
- 2. Marketing and Outreach efforts
  - a. Verify use of Cultural Arts Division Logo and Publicity Statement
  - b. Verify event listing on NowPlayingAustin.com
  - c. Social media outreach
  - d. Specific marketing efforts to ethnic or minority communities
  - e. Specific marketing efforts to statewide, national or international audiences

Due to scheduling conflicts with existing resident artist companies at the Mexican-American Cultural Center (MACC), at this time, the MACC will not be participating in the first year of the pilot program.

Attached is a listing of helpful tips provided to Cultural Contractors and a blank final report that all contractors must complete.



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### City of Austin Cultural Arts Division

Economic Development Department - Cultural Arts Division

**CLOSED** Deadline 5/1/2017

## Core Funding Program - Interim FY18 Apps for OS, PS I, PS II

[Open Programs](#) | [Guidelines At A Glance](#) [Requirements](#) [Restrictions](#) [Library](#) [Contact Admin](#)

### Applicant View

Application Status: Not Submitted

[Apply Now/Start Application](#)

[Summary](#) [Eligibility](#) [Application Questions](#) [Section IV. Budget & Activity Summary](#) [Section V. Attachments](#) [Activity Log](#)  
[Payments](#) [Final Report](#) [Final Report Totals](#)

[Ask a Final Report Question](#)

*(answers are saved automatically when you move to another field)*

[Instructions Show/Hide](#)

Final Report 1: 10/30/2018

### Final Report 1: 10/30/2018

[Submit Final Report 1](#)

### Contractor Information

#### 1. Contact Person - Name

Please enter the name of the person completing the FY18 Final Report. If we have any questions we will contact the person listed below.

Maximum characters: 255. You have  characters left.

#### 2. Contact Person - Email

Please enter the email of the person completing the FY18 Final Report.

Maximum characters: 255. You have  characters left.

### Completed Project Summary

**3. Please provide a bullet point list of the public events and other activities associated with this project. Include dates and locations. This should match your Pre-Contract Revised Activity Summary in Section V Attachments.**

If you did not complete one or more activities listed in your Revised Activity Summary you will need to provide a written explanation as to why those activities were not completed in the text box below.

Maximum characters: 30000. You have  characters left.

## Audience Data - (include only verifiable project-related data – do not inflate)

### 4. Number of Audience Members Directly Served

(Audience Members Defined: Those who participate or experience the art form directly.)

Number of Audience Members Directly Served

Was this a significant change from last year? Type

If it WAS a significant change from last year, did the number increase or decrease? Type

By what NUMBER did the number increase or decrease?

### 5. Of those audience members directly served, provide the following data:

Total number of youth audience members (ages 0-18) directly served by this contract:

Total number of audience members directly reached through TV/Radio (through programming, not PSAs):

Total number of audience members directly reached through the Web (user sessions, not hits):

Total number of audience members with disabilities directly served in accessible facilities:

Total number of audience members with disabilities directly served in special programming:

Total number of audience members directly reached through other methods:

**Please note: Demographic, constituencies, and artist/tourism information must accurately reflect the specific funded project and cannot be taken from general census/sampling figures**

### 6. Audience Demographics

Please enter a number for each category. Use whole numbers, not percentages. This should be data actually collected, not estimates.

American Indian or Alaska Native

Asian

Black or African-American

- Latino/Hispanic
- Multi-Racial
- Native Hawaiian or Other Pacific Islander
- Other
- White

---

## 7. Special Constituencies

Please check the box next to each constituency that was served by your project.

- Child (<12)
- Child (12-18)
- College Student
- Hearing Impaired
- Mentally Impaired
- Visually Impaired
- Otherwise Impaired
- Woman
- Veteran
- Senior Citizen
- Institutionalized (correctional)
- Institutionalized (non-correctional)
- Other:

---

## 8. Tourist Information

Please indicate number of audience members who are from outside the city (greater than a 50 mile distance)

- State (traveled more than 50 miles)
- National
- International

---

## Activity/Project Information

### 9. Attendance Information - Part I

List the number of EVENTS held in each category.

- Commissions (original work)
- Conferences
- Exhibitions
- Festivals
- Lectures/Demonstrations
- Master Classes
- Open Rehearsals

- Performances
- Publications
- Residencies
- Screenings
- Seminars/Workshops
- Other:

---

### 10. Attendance Information - Part II

List the number of ATTENDEES in each category.

- Commissions (original work)
- Conferences
- Exhibitions
- Festivals
- Lectures/Demonstrations
- Master Classes
- Open Rehearsals
- Performances
- Publications
- Residencies
- Screenings
- Seminars/Workshops
- Other:

---

## Artist/Personnel Information

### 11. List the number of artists/personnel in each category.

Please list artists/personnel only once for this data set.

- Artists who received a fee
- Artists who volunteered their time to work
- Full-time personnel
- Part-time personnel
- Non-Artist Volunteers

## Goals, Objectives, and Evaluation

### 12. Did you meet and/or exceed goals and objective of this project.

Please indicate "yes" or "no" and provide an explanation.

Maximum characters: 3000. You have  characters left.

### 13. Did you capture ZIP codes of attendees?

- Yes  
 No

### 14. Did you do an exit survey or evaluation form?

- Yes  
 No

## Marketing and Outreach

### 15. Did you credit the City in all your marketing and publicity materials?

If you did NOT give credit, please explain why you did not. If you did simply type YES and upload documentation showing that the logo & publicity statement were used in your marketing materials.

Maximum characters: 3000. You have  characters left.

### 16. Did you credit the City verbally at your event?

- Yes  
 No

### 17. Did you receive media coverage for your project activities?

- Yes  
 No

### 18. Did you promote your public activities on NowPlayingAustin.com?

If you did NOT promote your public activities on NowPlayingAustin.com, please explain why you did not. If you DID, please simply type YES.

Maximum characters: 3000. You have  characters left.

---

**19. Did you perform outreach through social media?**

*List type and target audience.*

Maximum characters: 3000. You have  characters left.

---

**20. Did you perform any specific outreach to ethnic or minority communities?**

*If YES, please explain. If NO, please type n/a.*

Maximum characters: 3000. You have  characters left.

---

**21. Did your marketing and/or media outreach target a national or statewide audience?**

*If YES, please explain. If NO, please type n/a*

Maximum characters: 3000. You have  characters left.

---

**22. Did your marketing and/or media outreach target an international audience?**

*If YES, please explain. If NO, please type n/a*

Maximum characters: 3000. You have  characters left.

### 23. Did this project involve...

(Check the box next to each category that applies to your project.)

- Cultural Tourism?
- Partnering with the Austin Visitors and Convention Bureau?
- Partnering with other Bureau, Agencies, Organizations, or Commissions?
- Economic Development?

## Budget Totals for Contracted Activities

### 24. What was your TOTAL CASH INCOME for all of your FY18 Contracted Activities?

This total should be the total of all the income for your contracted activities and not necessarily Line 10 of your Expense Documentation Form. It may be more.

Maximum characters: 255. You have  characters left.

### 25. What was your TOTAL IN-KIND Support for all of your FY18 Contracted Activities?

This total should be the total of all the in-kind for your contracted activities and not necessarily Line 11 of your Expense Documentation Form. It may be more.

Maximum characters: 255. You have  characters left.

### 26. What were the TOTAL EXPENSES for all of your FY18 Contracted Activities?

This total may be more than the total expenses listed in your FY18 Expense Documentation Form.

Maximum characters: 255. You have  characters left.

### 27. In FY18 (October 1, 2017 - September 30, 2018) did your organization, or if an individual artist, you, tour with your artistic product?

If you toured at all in FY18 please select all that apply. Please include any activities that toured, even if they were not activities funded by the Cultural Arts Funding Programs.

- Toured within Texas
- Toured Nationally
- Toured Internationally
- Did not go on tour

#### Documents Requested \*

FY18 Expense Documentation Form  
[Download template: FY18 EDF](#)

#### Required? Uploaded Documents \*

Required -none-

FY18 CASH Payment Receipts AND/OR IN-KIND RECEIPTS.  
 Please be sure that receipts include a signature of the payee/donor, date and description of payment and

-none-

service rendered, Form of Payment, and total amount paid or the value of the donation.

Pertinent publicity, programs, press materials, reviews Required *-none-*  
referencing funded event/program including  
documentation of the CAD Logo and Publicity Statement

Upload

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# 2017-2018 Core Program Expense Documentation Form

Organization name and if fiscally sponsored, both the name of the fiscal sponsor and the name of the sponsored group/individual artist:

Control Number:

FY18 Award Amount:

**This form or a report from QuickBooks or other similar accounting software MUST be submitted as documentation of project expenses.**

List the total income related to your contracted activities for each of the listed line items, if applicable

**ONLY upload receipts for CASH payments or IN-KIND Expenses. Do not** provide copies of receipts paid electronically or with credit/debit cards, copies of bank statements, copies of credit card statements or copies of cleared checks as additional documentation. Please note that we may contact you at a later date and request the actual receipts or further documentation for any and all of the expenses listed on this form.

Make sure that all listed payments fall within the contract period (October 1, 2017 - September 30, 2018). **We will NOT accept any payments that were made after September 30, 2018. We will accept payments made up to 60 days before the start of your contract (August 1, 2017).**

**Every individual payment should be listed in its own line. DO NOT List recurring payments in single line. Each payment made on a recurring basis to either employees or your vendors MUST be listed in a different line.**

You MUST PROVIDE the form of payment (credit card, Electronic Funds Transfer, cash, check, etc), check number if applicable, date of payment, the payee, a brief memo or description of the item(s) purchased or services rendered and how it pertains to your project, and the amount paid (include both cash and in-kind if applicable).

**DO NOT LEAVE ANY OF THESE FIELDS BLANK**

**Remember to show how you allocated your COA Award by listing those expenses in the COA Award Column.** This should closely match what you listed in your FY18 Pre-Contract Revised Budget. If there is a change in your allocation of your COA Award in a line item that is 20% more or less than the total COA Award you must upload a written explanation as to why there was a change.

Insert rows as needed. You may delete rows if necessary.

Please note that formulas are already entered for the totals. Be careful not to inadvertently erase them.

## DECLARATION:

**I do solemnly declare that, to the best of my knowledge, all information contained in this report is complete and true in every aspect.**

\_\_\_\_\_  
AUTHORIZED OFFICIAL SIGNATURE

\_\_\_\_\_  
AUTHORIZED OFFICIAL NAME AND TITLE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SPONSORED PROJECT SIGNATURE (if applicable)

\_\_\_\_\_  
SPONSORED PROJECT NAME AND TITLE

\_\_\_\_\_  
DATE

## INCOME

	CORE AWARD	CASH MATCH	INKIND MATCH	TOTAL
<b>Earned Income</b>				
1. Admission Total		\$ -		\$ -
2. Other Total		\$ -		\$ -
3. Total Earned Income		\$ -		\$ -
<b>Unearned Income</b>				
4. Total Private Support		\$ -		\$ -
5. Total Public Support		\$ -		\$ -
6. Other Unearned Income		\$ -		\$ -
7. Applicant Cash		\$ -		\$ -
8. Total Unearned Income		\$ -		\$ -
9.a COA Award	\$ -			\$ -
9.b Culturally Specific Marketing Supplement (CSMS Award) No Match required	\$ -			\$ -
10. Total Cash Match (add lines 3 & 8)		\$ -		\$ -
11. Total In-Kind Support (must equal In-Kind Line 24)			\$ -	\$ -
12. TOTAL INCOME (add lines 9a, 9b, 10 and 11)				\$ -

## EXPENSES

PAYEE	Date	Form of Payment	Check Num	Memo/ Description	CORE AWARD	CASH MATCH	INKIND MATCH	TOTAL
13. Administrative Employee								
					\$ -	\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -	\$ -
<b>13. Administrative Employee TOTAL</b>					<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
14. Artistic Employee								
					\$ -	\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -	\$ -
<b>14. Artistic Employee TOTAL</b>					<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

<b>EXPENSES</b>							
<b>15. Administrative Non Employee</b>							
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
<b>15. Administrative Non-Employee TOTAL</b>					<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>16. Artistic Fees Non Employee</b>							
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
<b>16. Artistic Non-Employee TOTAL</b>					<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>17. Travel</b>							
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
<b>17. Travel TOTAL</b>					<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>18. Space Rental</b>							
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
<b>18. Space Rental TOTAL</b>					<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>19. Equipment Rental</b>							
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
<b>19. Equipment Rental TOTAL</b>					<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>20. Supplies and Materials</b>							
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
					\$ -	\$ -	\$ -
<b>20. Supplies and Materials TOTAL</b>					<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

EXPENSES									
21. Marketing and Promotion				CSMS Award (NO Match)					
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>21. Marketing and Promotion TOTAL</b>				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
22. Production/Exhibit Costs									
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>22. Production/Exhibit Costs TOTAL</b>				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
23. Other Expenses									
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>23. Other Expenses TOTAL</b>				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
				<b>*TOTAL CSMS Expenses</b>	<b>**TOTAL CORE Expenses</b>	<b>***TOTAL CASH MATCH Expenses</b>	<b>+ TOTAL INKIND Expenses</b>	<b>++TOTAL Project Expenses</b>	
<b>24. TOTAL EXPENSES</b>				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Check you work - Find your funding program below. Do your total expenses meet the minimum matching requirement?

CORE Program	Total Core Award	Min Match Req.	Minimum Cash Match	Maximum In-Kind Match	YES	NO	N/A
Operational Support Matching Requirement	\$ -	\$ -	\$ -	None			
Project Support I & II Matching Requirement	\$ -	\$ -	\$ -	\$ -			
Project Support III Matching Requirement	\$ -	\$ -	\$ -	\$ -			

## EXPENSES

\* The total in the **CSMS column** should match the total CSMS Award amount in line 9.b in the income section of the budget. If these do not match you will need to revise your listed expenses to match the CSMS Award amount exactly. There is no matching requirement for the CSMS Award

\*\* The total in the **Core Award column** should match the total Core Award amount in line 9.a in the income section of the budget. If these do not match you will need to revise your listed expenses so that the Total Core Award in the Expenses Section matches exactly to the total Core Award

\*\*\* The total in the **CASH Match column** should meet the minimum matching requirement for your funding program. This amount may exceed the minimum requirement, but it cannot be less than the minimum matching requirement.

### **CASH MATCHING REQUIREMENT - Operational Support Contractors:**

This amount **MUST** be at least **EQUAL** to your Core Award Amount to meet the minimum matching requirements. It may be more than your Core Award amount. **For Example, If you were awarded \$212,500 your Total Cash Match Column must be at least \$212,500**

### **CASH MATCHING REQUIREMENT - Project Support I and Project Support II Contractors:**

This amount **MUST** be **at least 50%** of your Core Award to meet the minimum matching requirements. **For Example, If you were awarded \$50,00 your Total Cash Match Column must be at least \$25,000**

### **CASH MATCHING REQUIREMENT - Project Support III Contractors:**

This amount **MUST** be at least 25% of your Core Award to meet the minimum matching requirements. **For Example, If you were awarded \$20,000 your Total Cash Match Column must be at least \$5,000**

+ You are **NOT required to have an in-kind match**. If you do include In-Kind please note the following **Maximum In-Kind Expenses:**

**OS - No In-Kind Match allowed**

**PS I & PS II - 50% of Core Award Amount**

**PS III - 25% of Core Award Amount**

**EXAMPLE: Core Award = \$50,000;  
Maximum In-Kind Match = \$25,000**

**EXAMPLE: Core Award = \$20,000;  
Maximum In-kind Match = \$5,000**

++ The total in the **TOTAL column** should indicate that you have met the minimum matching requirements. If awarded in OS, PSI or PSII your total Project Expenses should be double your award amount. If awarded in PS III your Total Project Expenses should be at least 1.5 times your Core Award Amount.

If awarded in OS, PSI or PSII AND CSMS your total Project Expenses should be double your Core award amount plus the CSMS Award Amount.

If awarded in PS III AND CSMS your Total Project Expenses should be at least 1.5 times your Core Award Amount plus the CSMS Award Amount.

<b>EXPENSES</b>
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## Helpful Tips: Planning for Cultural Tourism

The expenditures of the Hotel Occupancy Tax revenue are intended to cultivate and promote cultural tourism. For the arts, cultural tourism can provide an opportunity for greater earned income. Cultural tourism programs are the catalyst for new audiences and dollars, helping artists and arts organizations to grow stronger in these days of declining federal grants and increased competition for dollars at foundation and corporate levels. For tourism, arts and culture are the expressions of a community's heart and soul. Together they form an image that sets the city apart and creates anticipation and excitement for the traveler (*Americans for the Arts, MONOGRAPHS; January 2007*).

Cultural tourism will be a concerted focus for the Cultural Arts Division in the coming years in an effort to grow and expand the visibility of Austin's unique and talented arts community. The city recognizes and relies on all of the amazing marketing and programmatic successes already being achieved by cultural contractors. In addition, the Cultural Arts Division will be exploring collective and strategic opportunities to promote Austin's arts and cultural offerings. In an effort to maximize the benefits of a collective marketing approach as a way to extend the visibility of your organization, you are asked to initiate one of the following action items during the planning and implementation of your annual program or projects.

- Link your website to [www.NowPlayingAustin.com](http://www.NowPlayingAustin.com)
- Post all non-city-funded events and projects to Now Playing Austin
- Note nearby lodging facilities through promotional materials and website related to a program.
- Partner with an area hotel for a block of rooms for visiting artists or for out of town audience members and promote the negotiated lodging rate in marketing materials.
- Invite front-line staff of the hospitality industry to attend an event as a guest and to encourage them to become a spokesperson for your organization or project.
- Drop program/project collateral materials to Austin Convention and Visitors Bureau and/or to travel centers
- Coordinate collective marketing with similar or comparable organizations or projects by advertising in a statewide, national or international publication.
- Become a member of Travel Industry Association of America (TIA)
- Plan for an effective social media outreach strategy for tourism-related audience development

In addition to its direct economic impact, tourism can improve quality of life and build community. When the arts and tourism communities' work together to highlight the unique character of a place, they can harness market forces to educate and entertain visitors, preserve cultural assets, and engender community pride in its heritage and way of life (*Americans for the Arts; <http://www.artsusa.org>*)



## Recommendation for Action

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**File #:** 17-1603, **Agenda Item #:** 15 and 16.

12/14/2017

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### **Agenda Item**

**Agenda Item #15 and #16:** Authorize negotiation and execution of an amendment to the legal services agreement with Robert Icenhauer Ramirez for legal services related to Albina Roque et al v. City of Austin et al, Cause No. 1:17-cv-932 in the United States District Court for the Western District of Texas in an amount of \$103,000 for a total contract amount not to exceed \$162,000. Authorize execution of an amendment to the legal services contract with Richards Rodriguez & Skeith for legal representation in connection with Andrew Garcia v. City of Austin et al, Cause No. 1:17-CV-01052, in an amount not to exceed \$266,000 for a total contract amount not to exceed \$316,000.

### **QUESTION:**

How does the Law Department determine which cases to handle internally, and which to hire outside counsel?  
COUNCIL MEMBER TROXCLAIR'S OFFICE

### **ANSWER:**

The Law Department will respond to this question separately.



## Recommendation for Action

**File #:** 17-1593, **Agenda Item #:** 17.

12/14/2017

### Agenda Item

**Agenda Item #17:** Approve second and third reading of an ordinance authorizing execution of the first amendment to a settlement agreement relating to the development of property located at 6409 City Park Road (Champion Tract); amending Ordinance No. 960613-J; modifying provisions of the Lake Austin Watershed Regulations in Ordinance No. 840301-F; and modifying provisions of the Hill Country Roadway Regulations in City Code Chapter 25-2.

### QUESTION:

1) The Fiscal Note on the RCA for this item says "This item has no fiscal impact," but there are waived fees in the amount of \$1,026,852. Can staff confirm these fee waivers and explain the circumstances under which these fees were waived? The 1996 Settlement Agreement had an 2003 expiration date on the special exceptions; the first amendment which passed at Council on November 10, 2016 added new variances, extended those special exceptions, and granted an extension of ten years to those fee waivers. What is the value of those fee waivers in 2027 dollars should the owner choose not to develop until the end of the extension?

2) We would like understand the options that were available to our environmental staff when negotiating the amendment to the 1996 Settlement Agreement on this Champion tract; we would like to see a comparison chart between five (5) scenarios of applicable regulations:

- a. 1993 Land Development Code,
- b. 1996 Settlement Agreement,
- c. First amendment to the Settlement Agreement prior to November 10, 2016,
- d. Then the first amendment to the Settlement Agreement following the November 10, 2016 council vote, and
- e. Current LDC (with the Hill Country Roadway Ordinance, current watershed ordinance, and tree regulations).

### ANSWER:

1) There is no additional fiscal impact associated with the 2016 amended settlement agreement, as it does not amend the terms of the 1996 settlement agreement regarding fee waivers.

The 1996 settlement agreement provided that the City would not "impose or require any filing, review, inspection, construction or notification fees with respect to any application for the processing or approval of any subdivision, preliminary plans and final plats, resubdivisions or replats, site plans or site development permits, zoning or rezoning of the development of the subject property and all such fees are hereby expressly waived by the City." The 1996 settlement agreement does not have an expiration date for the entitlements. Instead, the agreement requires the filing of a preliminary plan or other development permit within six years of the settlement, or by June 13, 2002, to lock in the entitlements. The final plat application for Tract 3 was filed on May 7, 2002.

2) Pending

### QUESTION

1) Did the property owner agree to rigorous construction phase environmental controls to minimize environmental impact of construction? What are those controls? How are they enforced? When and how does the city monitor and

determine those construction level controls have been implemented?

2) Did the property owner agree to prohibit fill in the tributary adjacent to City Park Road? Has the city confirmed the site does not already have fill in this tributary?

3) Does the modified settlement allow clearing of any trees in the 30 acre conservation easement?

4) Does the conceptual environmental exhibit in the draft ordinance in the back-up match and align with the site plan filed by the property owner in 2017, particularly with regard to the negotiated commitment to replace the uppermost apartment building and associated surface parking with leasing office?

COUNCIL MEMBER ALTER'S OFFICE

ANSWER

1) Part 5 of the proposed ordinance and Section III, new Section 2. G. 3 of the proposed amended settlement establishes construction phase environmental controls. The use of the controls are monitored and enforced through periodic required inspections and reporting, see subsection (11). The language reads:

3. The modifications listed in subsection g 1 and 2 of this Agreement are conditioned on implementation and compliance with the following environmental controls during the construction phase of the development. A site plan or building permit may not be approved, released, or issued if the development is not in compliance with the following:

- (1) Comply with current Environmental Criteria Manual (ECM) requirements for construction phase temporary erosion and sedimentation controls.
- (2) Install rough cut of water quality ponds before any other grading, except grading necessary to create the ponds, and grade so that all disturbed areas drain to these ponds.
- (3) Use rough cut ponds as settling basins with pumped discharge using a floating intake to a "dirt bag" or similar filtration prior to discharge to creek.
- (4) Ponds should be cleaned of accumulated sediment before sediment depth reaches a depth greater than 1 foot.
- (5) Use berms or similar methods prior to site grading to divert up gradient stormwater around limits of construction in a manner that distributes flow to prevent concentrated, erosive flow.
- (6) Incorporate methods from ECM, Appendix V, Fig. 1-1 for temporary erosion controls modified to accommodate the 10 year storm rather than the standard 2 year storm.
- (7) Apply mulch or similar cover on all disturbed areas as temporary stabilization within 7 days of disturbance unless ready for permanent revegetation.
- (8) For disturbed areas on slopes greater than 15% apply hydromulch with fiber reinforced matrix as temporary stabilization within 7 days of disturbance unless ready for permanent revegetation.
- (9) Apply permanent revegetation using hydromulch with fiber reinforced matrix within 7 days of final grading.
- (10) Comply with current erosion hazard zone code and criteria.
- (11) All construction phase controls must be inspected at least every 7 days and within 24 hours of each rainfall event of ½" or greater. Inspection should be conducted by an independent Certified Professional in Erosion and Sedimentation Control (CPESC) inspector employed by the Owner, not the construction contractor. Inspector should provide a written report with recommendations to the general contractor and Owner and such report must be made available to the City upon request.
- (12) Grading shall be phased to limit disturbed areas with construction beginning at higher areas of the site with disturbed areas temporarily stabilized prior to clearing and grading lower areas, except grading necessary to create temporary sediment ponds.
- (13) Any access to City Park Road must span the tributary of Bull Creek from high water mark to high water mark.

(14) Mechanical equipment must be located at ground level or within buildings to reduce visibility and noise.

(15) Comply with the requirements in 25-8-281 (*Critical Environmental Features*) and 25-8-282 (*Wetland Protection*) and provide critical environmental feature buffers as shown in **Exhibit "2"**.

2) Pending with WPD staff

3) If approved, the proposed amended settlement agreement requires execution and recordation of a restrictive covenant covering the 30.071 acre see Exhibit A to the proposed amended settlement agreement. That restrictive covenant includes the following language:

1. Owner agrees not to construct any improvements or allow any development, other than for unimproved hiking trails less than 3 feet in width, wildfire management, or security concerns, on the portion of the Property described by metes and bounds in Exhibit "A" attached and incorporated into this covenant, provided that such allowed improvements or development comply with the City Code requirements in effect at the time of application. Such activities are limited to removal of brush and trees smaller than 8 inches in diameter.

4) The exhibit referenced is Exhibit C to the proposed amended settlement agreement. While it uses the conceptual environmental exhibit form, it is binding only as to the indication of CEF and Wetland buffers. The exhibit does not include the uppermost apartment building and associated surface parking that was required to be removed.



Recommendation for Action

**File #: 17-1517, Agenda Item #: 18.**

12/14/2017

**Agenda Item**

**Agenda Item #18:** Discuss and take appropriate action regarding the proposed Meet and Confer Agreement between the City of Austin and the Austin Police Association relating to wages, hours, and terms and conditions of employment for Austin Police Officers.

**QUESTION:**

How many sworn personnel fall under each bucket of rank and year. So how many Base (Year) Officer (Rank)? How many 1 Year Officers? How many 2 Year Officers? How may 11 Year Commanders? Etc.. Also, can you delineate how many are "patrol" and therefore eligible for the proposed patrol stipend and how many are not in each bucket.

COUNCIL MEMBER TROXCLAIR'S OFFICE

**ANSWER:**

According to APD's Pay Scale (A-6 in Contract)

**Pay Steps for Officers**

Vacant Positions =79  
1 year = 164 Officers  
2 - 5 years = 262 Officers  
6 - 9 years = 121 Officers  
10 - 13 years = 73 Officers  
14 - 15 years = 19 Officers  
16 or more years = 47 Officers

**Total Officers assigned to Patrol = 765**

**Pay Steps for Corporal's**

Vacant positions = 1  
4-5 years = 1 Cpl.  
6 - 9 years = 13 Cpl.'s  
10 - 13 years = 16 Cpl.'s  
14 - 15 years = 10 Cpl.'s  
16 or more years = 30 Cpl.'s

**Total Corporals assigned to Patrol = 71**

**Pay Steps for Sergeant's**

Vacant positions = 1  
7 - 9 years = 0  
10 - 13 years = 15 Sgt.'s  
14 - 15 years = 12 Sgt.'s  
16 or more years = 43 Sgt.'s

**Total Sergeants assigned to Patrol = 71**

**Regarding how many fall within the Patrol Stipend (as of today):**

Patrol Officers between 1-3 years of service = 366 (79 vacant) 4 or more years = 399

Patrol Corporal with 4 or more years of service = 70 (currently one vacant)

Patrol Sergeant with 4 or more years of service = 70 (currently one vacant)

The information above reflects the Austin Police department as of 10/2017

QUESTION:

Working off of the response given to CM Troxclair on item 18, please provide the number of patrol officers per range of years for each range of years under each officer classification . Please also provide the detail on vacancies for each range of year under each classification. Please provide for all classifications. Please also include the lieutenant and commander classifications in your response which were not previously included in the response to CM Troxclair. Please also provide the number of officers eligible to retire from each officer classification as per the example below.

Example:

Pay Steps for Officers

Vacant Positions =79

1 year = 164 Officers How many vacancies are there in this total? How many of this total are patrol?

2 - 5 years = 262 Officers How many vacancies are there in this total? How many of this total are patrol?

6 - 9 years = 121 Officers How many vacancies are there in this total? How many of this total are patrol?

10 - 13 years = 73 Officers How many vacancies are there in this total? How many of this total are patrol?

14 - 15 years = 19 Officers How many vacancies are there in this range? How many of these are patrol?

16 or more years = 47 Officers How many vacancies are there in this total? How many of this total are patrol?

Total Officers assigned to Patrol = 765

How many patrol officers are eligible to retire?

Again, please provide the above for each officer classification, Police officer through Commanders.

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

**Pay Steps for Officers - The information previously submitted was for rank of officer only and only if assigned to Patrol sectors.**

**Vacant Positions =79 - These were all the vacant officer positions in Patrol on 09/27/17**

**1 year = 164 Officers How many vacancies are there in this total? 0 How many of this total are patrol? All are Patrol**

**2 - 5 years = 262 Officers How many vacancies are there in this total? 0 How many of this total are patrol? All are Patrol**

6 - 9 years = 121 Officers **How many vacancies are there in this total? 0** **How many of this total are patrol? All are Patrol**

10 - 13 years = 73 Officers **How many vacancies are there in this total? 0** **How many of this total are patrol? All are Patrol**

14 - 15 years = 19 Officers **How many vacancies are there in this range? 0** **How many of these are patrol? All are Patrol**

16 or more years = 47 Officers **How many vacancies are there in this total? 0** **How many of this total are patrol? All are Patrol**

**Total Officers assigned to Patrol = 765**

**How many patrol officers are eligible to retire? There are 11 officers assigned to Patrol with 23+ years of service. There are an additional 7 officers assigned to Patrol with 20+ years of service that could buy forward years to retire.**

**Again, please provide the above for each officer classification, Police officer through Commanders.**

**Eligible to retire by rank (23+ Years)-does not include Assistant Chiefs**

Police Commander	7
Police Corporal/Detective	41
Police Lieutenant	22
Police Officer	33
Police Sergeant	43

**Eligible to retire by rank (20+ Years)-would require purchase of service time to 23 Years (includes those with 23+ listed above) - does not include Assistant Chiefs**

Police Commander	13
Police Corporal/Detective	100
Police Lieutenant	44
Police Officer	63
Police Sergeant	81

**Below are the current Officers through Commanders showing their current PAYSTEP number as referenced in Exhibit A-1 of the proposed agreement (as of 11/25/2017)**

<b>Police Commander</b>	<b>18</b>
<b>All year 17 and above</b>	<b>18</b>
180	1
190	2
200	1
210	2
220	1
230	6
240	1
250	1

260	3
<b>Police Corporal/Detective</b>	<b>381</b>
<hr/>	
<b>Year 10-Year 13</b>	<b>76</b>
110	18
120	21
130	15
140	22
<b>Year 14 -Year 15</b>	<b>69</b>
150	19
160	50
<b>Year 16 &amp; above</b>	<b>190</b>
170	21
180	12
190	35
200	32
210	31
220	9
230	15
240	5
250	14
260	16
<b>Year 5-Year 9</b>	<b>46</b>
70	5
80	7
90	8
100	26
<b>Police Lieutenant</b>	<b>69</b>
<hr/>	
<b>Year 13</b>	<b>1</b>
140	1
<b>Year 15</b>	<b>4</b>
160	4
<b>Year 16 &amp; above</b>	<b>64</b>
170	3
180	5
190	7
200	10
210	14
220	2
230	2
240	8
250	4
260	9
<b>Police Officer</b>	<b>1140</b>
<hr/>	
<b>Base-under 1 year</b>	<b>72</b>

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10	72
<b>Year 1</b>	<b>77</b>
20	77
<b>Year 10-Year 13</b>	<b>154</b>
110	58
120	36
130	24
140	36
<b>Year 14 -Year 15</b>	<b>69</b>
150	20
160	49
<b>Year 16 &amp; above</b>	<b>130</b>
170	20
180	15
190	18
200	23
210	12
220	4
230	10
240	7
250	9
260	12
<b>Year 2-Year 5</b>	<b>363</b>
30	133
40	73
50	112
60	45
<b>Year 6-Year 9</b>	<b>275</b>
70	51
80	55
90	68
100	101
<b>Police Sergeant</b>	<b>187</b>
<b>Year 10-Year 13</b>	<b>17</b>
110	4
120	2
130	5
140	6
<b>Year 14 -Year 15</b>	<b>25</b>
150	8
160	17
<b>Year 16 &amp; above</b>	<b>144</b>
170	22
180	2

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100	5
190	20
200	19
210	24
220	4
230	14
240	4
250	11
260	23
<b>Year 9</b>	<b>1</b>
100	1
<b>Grand Total</b>	<b>1795</b>

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## Recommendation for Action

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**File #:** 17-1600, **Agenda Item #:** 22.

12/14/2017

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### **Agenda Item**

**Agenda Item #22:** Authorize negotiation and execution of a 24-month lease renewal for approximately 3,495 square feet of shared office space for the Austin Police Department, Crisis Intervention Team, located at 4110 Guadalupe Street, Building 631, in Austin, Travis County, Texas, from the Texas Health and Human Services Commission, in an amount not to exceed \$39,072.

### **QUESTION:**

Was the HealthSouth building considered as office space for APD's Crisis Intervention Team? Please provide detailed information about the needs required for the Team's office space.

MAYOR PRO TEM TOVO'S OFFICE

### **ANSWER:**

The Crisis Intervention Teams of APD and the Travis County Sheriff's Office have had a long-standing partnership. Since 2004, the two teams have shared space on-site at the Austin State Hospital, the Texas Health and Human Services Commission facility located at 4110 Guadalupe Street. The City and the County share expenses equally, and the proposed lease renewal will continue the current City-County-State partnership through 2019.

Relocating APD's Crisis Intervention Team out of the shared space and into the former HealthSouth Building at 1215 Red River Street was not considered out of desire to continue collaborating and sharing resources with the State and County and due to the proximity of the current space to the patients at the Austin State Hospital.

APD's Crisis Intervention Team shares the 3,460-square-foot office space in Building 631 of the Austin State Hospital campus 50-50 with the Crisis Intervention Team of the Travis County Sheriff's Office. Accordingly, if APD CIT were to relocate, the Team would need a similar amount of office space near the Austin State Hospital, plus sufficient space for the County's Crisis Intervention Team to occupy during times of collaboration.



## Recommendation for Action

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**File #:** 17-1590, **Agenda Item #:** 27.

12/14/2017

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### **Agenda Item**

**Agenda Item #27:** Authorize negotiation and execution of an interlocal grant sub award agreement with the University of Texas at Austin in the amount of \$148,000 for the City of Austin Community Based Crime Reduction Program.

### **QUESTION:**

What council districts will the program take place in?

COUNCIL MEMBER ALTER'S OFFICE

### **ANSWER:**

The program will take place in Council District 3 only.



## Recommendation for Action

**File #:** 17-1580, **Agenda Item #:** 28.

12/14/2017

### Agenda Item

**Agenda Item #28:** Authorize negotiation and execution of a subaward agreement with Measure Austin in the amount of \$244,676 for the City of Austin Community Based Crime Reduction Program.

#### QUESTION:

1) Who is Measure Austin? 2) When was the organization created? 3) What related work have they completed? 4) Has the City contracted with them for other services? 5) If so, how did they perform? 6) How were they chosen for this contract?

COUNCIL MEMBER TROXCLAIR'S OFFICE

#### ANSWER:

1) MEASURE is an Austin-based, non-profit research and public education organization that uses technology, participatory action research, education and performance management to improve local public safety functionality and community needs.

2) MEASURE was founded by Jameila "Meme" Styles in 2015.

3) Example:

Community Policing Performance Measurement: Recommendations & Protocol.

Jonathan Lin Davis, Meme Styles and Malick Djiba.

This brief concludes an assessment, evaluation and subsequent performance measure recommendations conducted by MEASURE©, a 501(c)3, on behalf of the Austin Police Department. Utilizing the "Final Reporting on Community Policing" by the Matrix Consulting Group (hereafter "Matrix"), the President's Task Force on 21st Century Policing and ongoing community engagement, conversations, and guidance on behalf of residents and community organizations, MEASURE© sought to establish meaningful, objective community-based performance measures to improve relations between the Austin Police Department and the communities and residents that it serves.

4) No. Over the last two years, all work completed in coordination with APD/City to date has been in kind.

5) Measure's in kind contributions toward the advancement of public safety goals has been well received and recognized through several award processes, including:

2016 Austin Police Chief's Award of Excellence recipient

2016 Austin 40 under 40 Finalist

2017 Greater Austin Black Chamber of Commerce Community Leader of the Year for Measure

2017 CENTEX American Society

Public Administration: Public Service Innovation Award

2017 Black Austin Democrats: Beacon Of Light Award

6) After much consideration, Measure was selected to receive a subaward for the CBCR project for several key reasons:

- the core CBCR program goals, objectives, activities and measures requirements align with their mission and expertise
- the organization has the capacity and resources needed to successfully complete project deliverables
- the organization leadership is grassroots and community driven, and has the social capital necessary to engage with project partners as well as the dense and diverse populations of the target area
- over the last two years, the organization has been successful in building trust and positive connections between APD and the Austin community



## Recommendation for Action

**File #: 17-1587, Agenda Item #: 33.**

12/14/2017

### Agenda Item

**Agenda Item #33:** Approve negotiation and execution of an interlocal agreement with Austin Independent School District for the provision of educational and skill-building services in an amount not to exceed \$1,140,000, with four 12-month extension options in an amount not to exceed \$1,000,000 per extension option, for a total contract amount not to exceed \$5,140,000.

### QUESTION:

What are the skill-building services that are provided through the Parent Support Specialist program? How are they measured?

COUNCIL MEMBER HOUSTON'S OFFICE

### ANSWER:

The program services for this agreement include the following:

- 1) Develop and Promote Family-Friendly Schools -PSS organize and conduct parent trainings to help parents navigate school systems; organize meetings to disseminate information and to gather input from them; and provide resources and referrals for AISD academic, social service and other support services as well as City resources.
  - 2) Facilitate and Promote Parent Education and Conduct Communications and Outreach - PSS connect schools to parents and connect those parents to education and social service support resources via multicultural outreach efforts in collaboration with both district and City departments.
  - 3) Develop Parent Leaders / PTA - PSS identify, develop and engage parent leaders and connect them to leadership opportunities at the school and within the District. They support and participate in Parent Teacher (Student) Associations (PTA and PTSA) and Austin Council of PTAs.
- In addition, PSS provide training for parents to become civically engaged in their community.

This is a new agreement and performance metrics that are being negotiated. The Parent Support Specialist program has used an evaluation instrument that measures on a Likert Scale whether or not a parent who participates in either life skills building or a parent education class has increased knowledge.



## Recommendation for Action

**File #:** 17-1577, **Agenda Item #:** 33 and 38.

12/14/2017

### Agenda Item

**Agenda Item #33 and #38:** Approve negotiation and execution of an interlocal agreement with Austin Independent School District for the provision of educational and skill-building services in an amount not to exceed \$1,140,000, with four 12-month extension options in an amount not to exceed \$1,000,000 per extension option, for a total contract amount not to exceed \$5,140,000.

Approve negotiation and execution of Amendment No. 4 to the 37-month agreement with Austin Independent School District to increase funding for after-school enrichment services in an amount not to exceed \$967,367 for the period September 1, 2015 through September 30, 2018, and increase funding for the three remaining 12-month extension options in an amount not to exceed \$817,367 per extension option, for a total agreement amount not to exceed \$9,041,840.

### QUESTION:

What is the eligibility criteria for each of these programs and are schools that meet those criteria from other school districts in the City eligible to apply for program funding?

COUNCIL MEMBER FLANNIGAN'S OFFICE

### ANSWER:

#### AISD: Parent Support Specialists (PSS)

Past eligibility for clients served in this program includes families, guardians, and community members from the campus and neighborhood of Title 1 schools within AISD. When necessary, PSS will also work with students on campuses in order to connect them with family-centered services or to better serve the parent or guardian.

#### AISD: Prime Time After School Enrichment

Prime Time will deliver out-of-school-time (OST) programming to the schools identified as Title 1 and schools the District has identified the student population as receiving 67% or greater free or reduced lunch. Once these schools have been identified using the parameters above, Prime Time will specifically target those schools that receive little or no OST program funding. All students at designated Prime Time campuses are eligible to participate in programming at these Prime Time schools. Prime Time will be offered throughout the academic year and during the summer on a District-wide basis at select schools based on campus availability. Prime Time Program Staff will provide City of Austin Contract Manager with list of identified "Prime Time" campuses by the start (October 1) of each program period.

The funding being added to both these agreements was directed by City Council and designated for AISD during the FY18 Budget process.

The original Prime Time After School Enrichment agreement was awarded through the 2014 Social Services RFA process. This process was open to any school district or entity serving individuals who reside in Austin and/or Travis County. Therefore any school district in the City is eligible to apply for program funding.



## Recommendation for Action

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**File #:** 17-1591, **Agenda Item #:** 39.

12/14/2017

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### Agenda Item

**Agenda Item #39:** Authorize negotiation and execution of an interlocal agreement with the Texas Department of State Health Services to provide an oversampling in Travis County for the Texas Behavioral Risk Factor Surveillance System Survey in an amount not to exceed \$200,000 for the term of November 1, 2017 through September 1, 2020.

### QUESTION:

Why is it the City's 1115 Medicaid Waiver Budget that is paying for Travis County oversampling as opposed to another 1115 Payer (i.e. Central Health)?

COUNCIL MEMBER FLANNIGAN'S OFFICE

### ANSWER:

The City of Austin's tobacco cessation 1115 waiver project has been the only project in DSRIP region 7 that relied on the BRFSS oversample to achieve the Category 3 evaluation milestones in the last iteration of DSRIP, which is why we have paid for the oversampling. We also utilize this data extensively in our chronic disease and epidemiology programs.



## Recommendation for Action

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**File #:** 17-1588, **Agenda Item #:** 42.

12/14/2017

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### Agenda Item

**Agenda Item #42:** Authorize negotiation and execution of a fifth amendment to the interlocal agreement with Travis County for the provision of public health services for a nine-month term beginning January 1, 2018 in an amount not to exceed \$4,403,824.

### QUESTION:

In what instances would program work statements and eligibility of reimbursed expenses need to be adjusted? How often does the need to make adjustments of these types occur?

COUNCIL MEMBER HOUSTON'S OFFICE

### ANSWER:

Normally, work statements and expenses are reviewed annually for needed modifications. This Interlocal Agreement comes to Council annually for approval. This year, due to some ongoing negotiations on terms, the City and County agreed to extend the FY17 agreement an additional 3 months to allow for completion of negotiations. This item is now coming back to Council for approval of the negotiated agreement for the remainder of FY18 (Jan-Sept).



## Recommendation for Action

**File #: 17-1581, Agenda Item #: 45.**

12/14/2017

### Agenda Item

**Agenda Item #45:** Authorize negotiation and execution of multi-term contracts with American Facilities Services, Inc. and BHW Operating Company, LP, or one of the other qualified offerors to Request for Proposals MDD0102, to provide custodial services, each for up to five years for a total contract amount not to exceed \$4,700,000; divided between the contractors.

### QUESTION:

What are the requirements included in the RFP in regards to wages and benefits?

COUNCIL MEMBER TROXCLAIR'S OFFICE

### ANSWER:

Living wage was a requirement in the solicitation. All of the contractors' employees will at a minimum be paid the City of Austin's current Living Wage of \$14.00 per hour.

Specific benefits were not required in the solicitation. However, as an element of the Offeror's Work Plans, the solicitation did request Offerors to describe their approach to retaining, rewarding and compensating their employees. Employee benefits were identified as one area of the Offeror's retention plans. Specifically the solicitation stated: "Describe your company's incentives, recognition, longevity, and benefits programs for employees. Outline your firm's plan for retention through financial incentives, including bonuses, merit raises and other increases to employee pay rates."

### QUESTION

Will this be the first contract that the City has executed with American Facilities Services, Inc. and BHW Operating Company, LP?

COUNCIL MEMBER HOUSTON'S OFFICE

### ANSWER:

Both proposed vendors, American Facilities Services, Inc. and BHW Operating Company, LP, have had custodial contracts with the City in the past.

### QUESTION:

Please provide information about any Department of Labor violations for American Facilities Services, Inc. and BHW Operating Company, LP over the past 15 years.

MAYOR PRO TEM TOVO

### ANSWER

Staff does not have record of any Department of Labor (DOL) violations on either of the two recommended contractors. We have asked both contractors and are awaiting their reply. Staff have also checked with the DOL to inquire about any such violations with these companies but learned that it will take approximately a week to receive any reports in this regard. Checking with the DOL to inquire about the labor records of Offerors is not a current practice used during the solicitation process.





Recommendation for Action

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**File #:** 17-1601, **Agenda Item #:** 46.

12/14/2017

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**Agenda Item**

**Agenda Item #46:** Authorize negotiation and execution of a contract with Asakura Robinson Company, LLC, to provide strategic housing blueprint implementation services, for a term of one year in an amount not to exceed \$130,000.

**QUESTION:**

Why are we going out for a contract for implementation of the Blueprint? Is it staff capacity, expertise, or both? When will Council receive a draft plan for implementation?

**ANSWER:**

- 1) It is both.
- 2) The draft plan for implementation will be in the timeline of deliverables in the consultants work plan.



## Recommendation for Action

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**File #:** 17-1605, **Agenda Item #:** 47.

12/14/2017

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### **Agenda Item**

**Agenda Item #47:** Authorize negotiation and execution of a contract with Browne, Bortz & Coddington Inc. D/B/A BBC Research and Consulting, or one of the other qualified offerors to Request for Proposals JRH0110, to provide a regional assessment of fair housing, for a term of 14 months for a total contract amount not to exceed \$250,000.

### **QUESTION:**

Was this budget allocation included in the proposed City Manager's budget during the FY 18 budget process? Other than the Housing Trust Fund, what are the other available funding sources for this contract?

MAYOR PRO TEM TOVO'S OFFICE

### **ANSWER:**

Funding in the amount of \$100,000 for "A Consultant for Regional Fair Housing and Equity Assessment" was included in the City Manager's budget during fiscal year 2018 via the Budget Stabilization Reserve Fund specifically to conduct the Assessment of Fair Housing. The City will be reimbursed for approximately 75% of this contract from other regional governmental parties through the interlocal agreement approved by Council on June 15, 2017.



## Recommendation for Action

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**File #:** 17-1589, **Agenda Item #:** 48.

12/14/2017

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### **Agenda Item**

**Agenda Item #48:** Authorize award and execution of a multi-term contract with Active Campus LLC D/B/A All Campus Security, to provide closed-circuit television cameras and equipment, for up to three years for a total contract amount not to exceed \$456,000.

### **QUESTION:**

What are the locations for the closed-circuit television cameras? How many will be purchased?

COUNCIL MEMBER HOUSTON'S OFFICE

### **ANSWER:**

This contract will allow for the purchase of approximately 150 closed-circuit television (CCTV) cameras annually which will be installed by City staff or by one of its contractors. These CCTV cameras are used to monitor traffic flow on Arterial roadways allowing staff at the Transportation Management Center to respond to issues sooner and provide information to responding technicians. Specific locations for these CCTV's are still being determined however they will be installed City-wide. The primary locations of cameras purchased early in the contract will be installed along critical arterials using Quarter Cent funds identified by the Mayor's office.



Recommendation for Action

File #: 17-1578, Agenda Item #: 54.

12/14/2017

**Agenda Item**

**Agenda Item #54:** Authorize the negotiation and execution of an interlocal agreement with the Austin Independent School District (AISD) to contribute up to \$353,462.26 from fees collected by the City from Austin's cable providers for public, educational, and governmental access channels to AISD's purchase of equipment necessary for the operation of the AISD educational access channel.

QUESTION:

What is the full budget for the cable provider fees collected by the City? Are these fees collected only from cable television customers, or also cable internet customers?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

Total Public, Educational, and Governmental (PEG) Access fees based on 1% of cable television providers' gross revenues in FY 2017-1018 are estimated at \$1,900,000.00. The four providers are Charter/Spectrum, (formerly Time Warner Cable), AT&T U-Verse, Grande Communications, and Google Fiber. The PEG fees can only be used by the City for capital purchases related to the provision of the City's PEG channels that are carried by the cable television providers. The PEG fees are in addition to the cable franchise fees that are paid based on 5% of the providers' gross revenues, both of which are passed through to cable television customers. Unlike the PEG fees, there are no restrictions on how the franchise fees can be used, and they are deposited into the City's General Fund. Since 2005, Cable television services in the City have been regulated by the Public Utility Commission of Texas under TITLE 2. PUBLIC UTILITY REGULATORY ACT, Subtitle C., Chapter 66.

The City does not receive any fees from internet service providers or cable internet service customers.

There are seven total PEG channels in Austin-three public access channels provided under contract by the Austin Film Society/Austin Public, one city governmental channel provided by ATXN (City channel 6), one county governmental channel provided by Travis County, and two educational channels, one provided by Austin Community College, (ACC), and another by the Austin Independent School District, (AISD).

The PEG fee expenses for 2017-2018 are budgeted as follows:

Fund-Department-Unit		
Object Code	Budgeted Amount	Description
7110-7300-4121-9051	\$ 300,000	Austin Film Society/Austin Public -capital equipment
7110-7300-4121-9051	\$ 355,000	AISD-capital equipment
7110-7300-4121-9051	\$ 100,000	PEG Channel Master Control equipment (City Hall basement)
7110-7300-4121-9051	\$ 100,000	Contingency Fund-capital equipment
7110-7300-5909-9043	\$ 7,000	ATXN-capital software
7110-7300-5909-9051	\$ 600,000	ATXN-capital equipment
	<b>TOTAL \$1,462,000</b>	<b>TOTAL FY2018 PEG Capital Equipment.</b>





## Recommendation for Action

**File #:** 17-1582, **Agenda Item #:** 55.

12/14/2017

### Agenda Item

**Agenda Item #55:** Authorize payment of the City's membership fees for Fiscal Year 2017-2018 to the Greater Austin-San Antonio Corridor, which promotes the region's economic development, in an amount not to exceed \$100,000.

### QUESTION:

What is the mission of the membership organization? What outcomes can the City expect to see as a return on investment?

COUNCIL MEMBER TROXCLAIR'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. The City of Austin, Capital Metro, CARTS, Travis and Williamson County and numerous private sector partners represent the Austin area or north end of the Council membership.

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.

### 2017 Highlights Include:

- Hosted public presentation on the *"Proposed IH-35 Capital Express Managed Lanes Project Through Central Austin"* for policy makers between Austin and San Antonio to build awareness of the project by regional partners and engaged with San Antonio Mobility Coalition and the San Antonio Chamber of Commerce to enlist their support.
- Continued efforts to develop, with the Texas Department of Transportation and local governments, more connected routes to State Highway 130 as a means of alleviating congestion on Interstate 35 through Central Austin (Highway 46 Extensions/New Braunfels Connector).
- Developed public presentations and resolutions in support of IH-35 Improvement Projects in Austin and into downtown San Antonio from Loop 1604.
- Issued two new studies and reports on available remaining Rail Options and Ridership Pricing Sensitivities for the Austin-San Antonio Corridor, both aimed at gauging private sector approaches to needed passenger and freight rail improvements in the Corridor.
- Completed review, chronologies and database indexing for transfer to the Texas Department of Transportation of all accumulated data for Austin-San Antonio rail projects (reports, engineering designs, ridership models, draft environmental review documents, financial records and studies, contracts, proposals, financing agreements, cost and revenue projections, etc.) for use in new planning study by the Austin and San Antonio Metropolitan

Planning Organizations.

- Hosted three large public events on Connected and Autonomous Vehicles including a conference with nationally -known experts on *"Self-Driving Vehicles: Are We There Yet?"* aimed at preparing local governments for the advent of new automotive technologies.
- Completed preliminary planning and speaker bookings for the next Connected-Autonomous Vehicles (CAV ) Conference scheduled for January 31, 2018 in Travis County on the economic impacts and economic development opportunities available to Austin-San Antonio companies from CAV technologies.
- Co-Sponsored or participated in multiple regional infrastructure and regional economic development events such as the 2017 Texas Legislative Conference, Transportation Advocates of Texas, Texas Rail Advocates, Texas Mobility Summit, the Global Mobility Sustainability Conference, and TxDOT's Annual Texas Transportation Summit.
- Prepared and published 50 weekly reports to more than 2000 members, local elected officials, and city/county employees on regional developments in infrastructure, economic development, and state or federal legislative activities relevant to the Austin-San Antonio Corridor Communities (the Monday Morning Report).



## Recommendation for Action

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**File #:** 17-1583, **Agenda Item #:** 57.

12/14/2017

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### Agenda Item

**Agenda Item #57:** Authorize award and execution of a construction contract with DeNucci Constructors, LLC for the 2016 Bond - ATD Bolt Down Device Indefinite Delivery/Indefinite Quantity project in the amount of \$450,000 for an initial two-year term, with two one-year extension options of \$200,000, for a total contract amount not to exceed \$850,000.

### QUESTION:

What section of the Mobility Bond do these services fall under?

COUNCIL MEMBER TROXCLAIR'S OFFICE

### ANSWER:

The ATD Bolt Down Device Indefinite Delivery/Indefinite Quality contract falls, generally, under the Local Mobility category (funded at \$137 million) of the 2016 Mobility Bond program. This contract provides for the installation of various traffic control devices for bikeways and safety projects including: flexible delineator posts; raised pavement markers; bicycle racks; bicycle corrals; pavement markings; speed cushions; and other devices, including incidental and associated construction.



## Recommendation for Action

**File #:** 17-1604, **Agenda Item #:** 62.

12/14/2017

### Agenda Item

**Agenda Item #62:** Approve a resolution directing the City Manager to create a plan to periodically assess existing City regulations and rules.

### QUESTION:

Does the work contemplated in this Resolution duplicate work that is already occurring at the City, such as the work being conducted by the Office of Performance Management?

What is the estimate amount of time and resources required to implement this Resolution?

MAYOR PRO TEM TOVO'S OFFICE

### ANSWER:

**Does the work contemplated in this Resolution duplicate work that is already occurring at the City, such as the work being conducted by the Office of Performance Management?**

The Office of Performance Management (OPM) is responsible for supporting the organization's efforts toward operational excellence and continuous improvement. Its core functions include: strategic planning, performance measurement/data analytics, and process improvement. The Council is very familiar with the strategic planning work underway (details can be found at <http://austinstrategicplan.bloomfire.com>). The City's performance measurement program has been in place since the late 1990s but the creation of OPM has allowed for a far more concerted focus on how we develop and utilize metrics throughout the organization. In addition, the team includes a data analytics expert that has significantly increased our ability to examine performance measure data, survey results, and other data sources in a far more consequential way. Finally, the process improvement work is grounded in highly data driven Lean practices, an approach to work that focuses on customer value, optimization, and the elimination of waste (such as unnecessary steps, rework due to errors, and underutilization of capabilities) without sacrificing productivity and quality. It empowers employees to make positive changes in our work processes to reduce unnecessary steps, identify barriers (such as challenging rules and regulations), and decrease associated work time and costs. The combination of these functions allows the organization to assess its services in both retrospective and forward-looking ways.

Much of the content of the resolution is in alignment with the City's and OPM's responsibilities and goals to better align services with the strategic outcomes and assess work processes (existing and new) to identify opportunities for optimization and elimination of waste. By continuing the utilization of the combination of OPM functions noted above, it allows for the continuous review of rules, regulations, and policies with a lens of continuous improvement, with the context of the related work processes, and always with customer (citizen) value in mind. Furthermore, these functions and skills are being integrated into how the organization regularly operates without the need for additional programs and associated resources. However, while OPM efforts are in alignment with the intent of the resolution, it does not have a systemic review process in place as described in the resolution. Finally, the small size of the office (5 FTEs) means it would be unable to undertake the scope as currently proposed.

**What is the estimated amount of time and resources required to implement this Resolution?**

It is difficult to provide an informed estimate of required time and resources, as the scope of this resolution is broad in nature and difficult to immediately parse out. However, in general terms, this will be an intensive research and analysis effort, and will undoubtedly require substantial staff time to complete in the timeframe prescribed. Staff would recommend a more narrowly tailored pilot that would focus on specific policy areas. This would also allow staff to conduct a preliminary evaluation of the needed resources and potential timeline. It should be noted that this work will occur concurrently with other major organization-wide projects including, but not limited to, passage of CodeNEXT, adoption and implementation of the Strategic Plan, and organizational transition of a new City Manager. In addition, the efforts currently being piloted through the Equity Office will accomplish some of this work as well.



## Recommendation for Action

**File #:** 17-1533, **Agenda Item #:** 89.

12/14/2017

### Agenda Item

**Agenda Item #89:** Authorize execution of an interlocal agreement with the Texas Facilities Commission for development of Phase One of the 2016 Texas Capitol Complex Master Plan.

### QUESTION:

How many state public hearings were conducted since 2013? What dates were the public hearings, how many people testified at each, what were their names, and where do they reside?

COUNCIL MEMBER HOUSTON'S OFFICE

### ANSWER:

See attachment.

### QUESTION:

1. Part of the rationale for the state project is to move state workers from leased space to state-owned properties thereby saving the state money over the long haul. How much leased office space do you expect to vacate in each phase?
2. Please clarify whether the owners of the spaces currently leased by the state pay city property taxes. If not, please provide a reasonable estimate of what the property values are currently and how much taxes we are currently forgoing (and then might reasonably expect to accrue in the future).
3. Please provide that information for all relevant public taxing entities.
4. Please provide the addresses of the currently leased space that the state expects to vacate.
5. Item 26 asks us to waive \$6.8 million in temporary use of right-of-way permit fees. Does that amount cover more than just phase I?
6. If not, would we expect additional ROW fees to be needed in subsequent phases.
7. Would those fee waivers require Council approval?
8. Please provide a list of all properties owned by the Texas Facilities Commission.

COUNCIL MEMBER ALTER'S OFFICE

### ANSWER:

1. The following response was provided by the Texas Facilities Commission:  
Upon completion of Phases One and Two the State will vacate approximately 1.2 million square feet of leased space (700,000 square feet in Phase One, and 500,000 square feet in Phase Two).
2. The following response was provided by the Texas Facilities Commission:  
All properties in which TFC leases space on behalf of State agencies pay property taxes except one 110,400 NSF lease where the building owner was to obtain an exemption.

3. The following response was provided by the Texas Facilities Commission:
4. See attached Exhibit A
5. No; the fee estimates are only for Phase 1.
6. The following response was provided by the Texas Facilities Commission:  
Until such time as funding for Phase Two of the Capitol Complex development is authorized, it is unclear whether fee waivers will be requested from the City.
7. Yes
8. The following response was provided by the Texas Facilities Commission: See attached Exhibit B

QUESTION

1. Please provide documentation which describes how the City of Austin can gain access to the funds in the Balance Owed by column. Provide examples of exactly what the funds can be used for. What are the limitations to the use of the funds?
2. Will the Texas Facilities Commission be amenable to establish a toll free number and an email address for constituents to report concerns, issues or give feedback?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER

1. Texas Government Code Sec. 2166.052 contemplates a ledger system by which the City and the Texas Facilities Commission (TFC) can exchange property interests. A credit on this ledger can be used against an acquisition of a future property interest from TFC. Currently, credits on the ledger cannot be used against the acquisition of property interests from any other state agency.
2. The following response was provided by the Texas Facilities Commission:  
The project website (<https://www.tfc-ccp.com/>), already in operation, includes an email address for anyone to ask questions, report concerns, or provide feedback. Once construction begins, a phone number will be added. Both the email address and phone numbers will be included in any outreach efforts..

QUESTION:

1. Please provide additional information regarding the estimated relocation costs for the trees evaluated for transplant in the Capitol Complex.
2. Is the State willing to agree to compensate the City of Austin for the actual cost at the time of the relocation in the event relocation exceed \$130,500?
3. Will the State compensate the City of Austin to ensure that the trees live?
4. Please confirm the total number of trees in the project area that are proposed for removal as a part of the Capitol Complex project. How many of the trees proposed for removal are in the City's right-of-way? Of the trees proposed for removal in the City's right-of-way, how many are Heritage trees?
5. Please provide a description of what was factored into the estimated relocations costs.
6. Do the estimates include changes in value over time?
7. Where are the trees going to be transplanted?
8. What is the condition of the Heritage trees in City right-of-way and where are they located?
9. What is the City Arborist's recommendation regarding saving the Heritage trees in the City's right-of-way?
10. What are the estimated mitigation requirements for trees proposed for removal in the City's right-of-way?

COUNCIL MEMBER POOL'S OFFICE

ANSWER:

1. The City of Austin partnered with the Waller Creek Conservancy to develop the previously provided relocation estimates for the trees identified as candidates for transplant.

The relocation estimates include costs associated with:

- Preparing the trees for relocation, including root pruning, canopy pruning, fertilization, mulching, root collar excavation and up to six months of watering
- Transport of trees to the planting sites at Waterloo Park and installation
- Backfill and irrigation drip tubing installed on root balls
- A \$30,000 allowance (total) for all traffic control, right-of-way permitting, and traffic signal removals
- Maintenance for one-year

We have attached the full analysis prepared by dwg, the local landscape architect firm supporting Michael Van Valkenburgh Associates (MVVA) with the restoration and redevelopment associated with the Waller Creek Master Plan. (ATTACHMENT)

2. The following response was provided by the Texas Facilities Commission:  
The sum noted in the Interlocal Cooperation Agreement Section 1.5.7 - Tree Preservation, is considered a lump sum and not to exceed payment to be made upon completion of the removal and relocation of the designated tree(s). If the actual cost of tree relocation exceeds this amount, TFC will not cover the difference. If actual costs are less than this amount, TFC will still pay this amount.

3. The following response was provided by the Texas Facilities Commission:  
Responsibility for the relocation of the trees and their ongoing survival rests with the City and their assigns.

4. The following response was provided by the Texas Facilities Commission:  
There are 63 trees scheduled for removal as part of the project. As noted in Section 1.5.8 - Tree Planting, the project will plant over 300 new trees totaling over 1,300 caliper inches. Of these new trees, over 250 are Heritage species as defined by City ordinance.  
There are 33 trees in the City's right-of-way scheduled for removal. Of those, 8 are defined as Heritage trees per City ordinance.

**\*Note from COA Staff: Based on the City's analysis of the information provided by the Texas Facilities Commission, staff identified 29 trees within the City's right-of-way proposed for removal, two of which were identified as Heritage trees.**

5. The relocation estimates include costs associated with:
  - o Preparing the trees for relocation, including root pruning, canopy pruning, fertilization, mulching, root collar excavation and up to six months of watering
  - o Transport of trees to the planting sites at Waterloo Park and installation
  - o Backfill and irrigation drip tubing installed on root balls
  - o A \$30,000 allowance (total) for all traffic control, right-of-way permitting, and traffic signal removals
  - o Maintenance for one-year

We have attached the full analysis prepared by dwg, the local landscape architect firm supporting Michael Van Valkenburgh Associates (MVVA) with the restoration and redevelopment associated with the Waller Creek Master Plan. (ATTACHMENT)

- 6. The estimates do not include changes in value over time.
- 7. Trees selected for relocation will be transplanted to Waterloo Park. Please see the analysis prepared by dwg for additional detail regarding potential placement.
- 8. Staff identified two Heritage trees in City Right-of-way, a 29-inch American Elm and a 24-inch Live Oak. The 29-inch American Elm is located at the northwestern corner of 17<sup>th</sup> St. and Congress Avenue and is in poor health. The 24-inch Live Oak is located on the eastern side of Congress Avenue between 17<sup>th</sup> and 18<sup>th</sup> St. and is in average health. See attached graphic. **(ATTACHMENT)**
- 9. It was determined by City staff and an external assessment that other trees within the project area are better candidates for transplant than the Heritage trees in the City’s right-of-way.
- 10. Based on the City’s analysis of the information provided by the Texas Facilities Commission, staff identified 29 trees within the City’s right-of-way proposed for removal.

Of the 29 trees, staff identified two as Heritage trees:

- 29-inch American Elm
- 24-inch Live Oak

Presuming the trees are in good condition, the following mitigation totals apply (standard rates from the Environmental Criteria Manual):

- 2 Heritage Trees totaling 53 inches x 3 159 inches
- 10 Protected Trees totaling 172 inches 172 inches
- 17 Small Trees totaling 224 inches x .5 112 inches

(Note: three of these trees are proposed for transplanting)

Total	443 inches
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QUESTION:

- 1. Has the Texas Facilities Commission team coordinated with the City of Austin Music Office ON strategies for sound mitigation for the proposed amphitheater?
- 2. Will the State agree to a term in the interlocal agreement that commits to voluntary compliance with City sound regulations for performances at the Capitol Complex amphitheater?

MAYOR PRO TEM TOVO’S OFFICE

ANSWER:

- 1. The following response was provided by the Texas Facilities Commission:

The Texas Facilities Commission (TFC) has confirmed with its master architect, Page, that there has been no coordination with the City of Austin (CoA) Music Office on sound mitigation strategies for the proposed amphitheater. However, they are familiar with the system the music office presented earlier this year and this very same system is what is being contemplated for the amphitheater. The following statement came from Chad Himmel, PE, who works for JE Acoustics, a subconsultant to Page:

*“...I too have not attended any of those presentations. Was invited by the music office’s David Murray to go listen to a JBN sound ceiling system March 27th, but unfortunately was a short notice invitation and I was not able to*

attend. If this is the same system that you are implementing, there is some web info about it out there, in case this helps:

<http://www.jbnsoundsolutions.com/>

*I've talked to a couple of people who attended one of the presentations, who said that walking in and out of the system's mostly downward sound throw, is like walking in and out of a closed room with music playing, but with no doors."*

TFC has not yet solicited for Architect of Record services for Package 6, which includes the mall and amphitheater. Once this Architect of Record is selected and under contract TFC is open to meeting with the CoA Music Office to discuss and review any additional sound mitigation strategies that can be incorporated into the amphitheater design.

2. The following response was provided by the Texas Facilities Commission:

Primary responsibility for the operation of the Texas Mall will rest with the Texas State Preservation Board (SPB), a State agency separate and distinct from TFC. TFC is not authorized to enter into agreements on behalf of a separate agency and therefore cannot commit to comply with City sound regulations. It is noted that SPB is the agency that oversees the operation of the Bob Bullock Museum, Capitol Building and Governor's Mansion, all of which have hosted outdoor performance events that included music and amplified sound systems. In these events SPB has demonstrated a sensitivity to sound transmission and hours of operation which we believe will be continued for events on the Texas Mall.

QUESTION:

Would it be possible for you to provide one document that lists the following:

- Cash payments - every cash payment the State (or TFC) is anticipated to pay for during Phase One and what the payment is for (this includes permit fees, inspection fees, etc).
- Ledger transactions - every estimated fee and what the fee is for that is expected to be waived by the City and added to the ledger between the City of Austin and the TFC.

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

Cash payments:

The Texas Facilities Commission will pay all fees tied to a cost service for all aspects of Phase One of the Capitol Complex project. As previously noted, City regulations and building review/ permitting requirements do not apply to State construction projects on State land. The City will not be reviewing or permitting the buildings proposed for Phase One. The City will review, permit and collect fees associated with all work in the City's right-of-way (see response to question below from CM Kitchen). Those fee types include, but are not limited to:

- o Review and inspection of relocated City utilities
- o Review and inspection of any temporary City utilities required
- o Review and approval of water/ wastewater service extension requests
- o Review and inspection of traffic control plans
- o Permitting and inspections for excavation in City right-of-way
- o Review of any needed license agreements for items such as temporary suspension utility crossings and tie-

backs

In a previous response provided to Council in June 2017, the estimated amount of the fees associated with the fees described above was \$492,224. However, with the recent FY 2017/18 budget adoption, fees have changed, and a new estimate has not been computed.

Ledger transactions:

The only fees proposed for waiver are temporary use of-right-of-way permit fees which are fees assessed for temporarily closing public right-of-way. Over a five year period, those fees are estimated to be \$6.8M. Attached is a detailed accounting of the associated calculations. This document was also submitted as backup to Item 27. All costs for staff review of traffic control plans and staff inspections associated with closing public right-of-way are not proposed to be waived.

#### QUESTION

Please provide a list of administrative City actions that would be required for the development of Phase One of the Capitol Complex Master Plan.

COUNCIL MEMBER KITCHEN

#### ANSWER:

Because this is a State project, all administrative City actions would be limited to review, approval, and inspection of applications, plans, and construction for all work in the City's right-of-way. Examples of the work to occur in the right-of-way and the associated administrative functions include:

- Review, approval, and inspection of relocated City utilities
- Review, approval, and inspection of any temporary City utilities required
- Review and approval of water/ wastewater service extension requests
- Review, approval, and inspection of traffic control plans
- Review, approval and inspection of excavation in City right-of-way
- Review and approval of any needed license agreements for items such as temporary suspension utility crossings and tie-backs

#### QUESTIONS FROM WORK SESSION

Please confirm the total number of State employees being relocated to the Capitol Complex broken down by those that are currently in the downtown area and those that are being relocated from other areas of the City.

#### ANSWER:

The following response was provided by the Texas Facilities Commission:

Due to the high costs of leases in the downtown area, only one agency is located there and they include 26 employees. The remaining approximately 3,400 employees are located outside the downtown area. Specific lease locations around Austin and the State of Texas can be found on TFC's website at:

<http://www.tfc.state.tx.us/divisions/facilities/prog/leasing/leases-map.html>

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**Council Question and Answer**

<b>Related To</b>	<b>Item #26</b>	<b>Meeting Date</b>	<b>December 14, 2017</b>
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**Additional Answer Information**

**QUESTION:**

How many state public hearings were conducted since 2013? What dates were the public hearings, how many people testified at each, what were their names, and where do they reside? COUNCIL MEMBER HOUSTON'S OFFICE

**ANSWER:**

The following response was provided by the Texas Facilities Commission:

The following public hearings were held between 2013 and November 2017. Please note that State processes differ significantly from City processes with regard to public hearing. Legislative committees set hearing agendas and invite attendance and/or expert testimony from State Agencies pertinent to the subjects under consideration. Public engagement typically occurs when controversial matters are considered and the Capitol Complex Master Plan and Phase One Development do not fall into this category. As discussed in item 4 of the backup document provided by TFC, TFC received public input through numerous meetings with a wide variety of local entities, including the State Agencies located in Austin which are candidates for relocation to the Capitol Complex.

Date:	Committee:	Invited Testimony:	Public Testimony:
12/1/2014	Partnership Advisory Commission	None	None
3/24/2015	House Appropriations Committee	Harvey Hilderbran Rob Ries Peter Maass John Raff	None
4/08/2015	Senate Finance Committee	Harvey Hilderbran Rob Ries Peter Maass John Raff	None
11/10/2015	Partnership Advisory Commission	None	None
2/17/2016	Texas Facilities Commission	Peter Maass	None
3/23/2016	Texas Facilities Commission	Peter Maass	None
7/21/2016	Joint Oversight Committee on Government Facilities	Harvey Hilderbran Peter Maass	None

Peter Maass, John Raff, and Rob Ries reside in Austin, Texas. Harvey Hilderbran resides in Kerrville, Texas.

**Chair**  
Robert D. Thomas

**Commissioners**  
William D. Darby  
Patti Jones  
Mike Novak  
Jack W. Perry  
Betty Reinbeck  
Joseph O. Slovacek



**Executive Director**  
Harvey Hilderbran

*Mailing address:*  
P. O. Box 13047  
Austin, TX 78711-3047  
(512) 463-3446  
[www.tfc.state.tx.us](http://www.tfc.state.tx.us)

December 7, 2017

The Honorable Kirk Watson  
State Senator, District 14  
Capitol Extension, Room E1.804  
Austin, Texas 78701

The Honorable Donna Howard  
State Representative, District 48  
Capitol Extension, Room E1.504  
Austin, Texas 78701

Re: Capitol Complex Phase One – Public Outreach Plan

Dear Senator Watson and Representative Howard:

Thank you for your letter dated December 4, 2017 requesting that the Texas Facilities Commission (“Commission”) work with you and other elected officials in the area to prepare and implement a public outreach plan for the Capitol Complex Phase One project to be constructed along North Congress Avenue in accordance with the approved 2016 Capitol Complex Master Plan.

We all share the goal of providing for the safe and efficient movement of vehicles, bicycles, and pedestrians through or around temporary traffic controls and construction-related activities in order to protect members of the public, project workers, emergency responders and law enforcement personnel, and public infrastructure and equipment. The Commission is committed to working with you and other elected officials in the area to prepare and implement a public outreach plan that will include measures such as those described below to ensure accurate, timely, and easily accessible information to those who may be affected by activities associated with this project. Measures to be addressed by the public outreach plan include:

- Providing updated street closure information on the Capitol Complex Master Plan Project (the project) website at <https://www.tfc-ccp.com/>
- Coordinating with the Downtown Austin Alliance (DAA) to include updated information in the DAA weekly newsletter - updates/link in the *Street Closures* section
- Providing updated street closure information to the City of Austin (the City) to be posted on the City’s website
- Partnering with the City’s Neighborhood Association Liaison to provide updated information regarding the scope of the project and the project link to facilitate outreach and response to inquiries
- Providing regular press releases to local media sources (print, radio, web) with information regarding major changes and project milestones impacting traffic and transportation
- Posting upcoming and ongoing changes in traffic patterns to changeable traffic control devices for driver awareness to include a contact phone number and reference to the project website for traffic updates
- Posting major street closure information on construction fences (i.e. “Congress Ave partial Southbound Traffic closing Spring 2018”)

**Texas Facilities Commission**

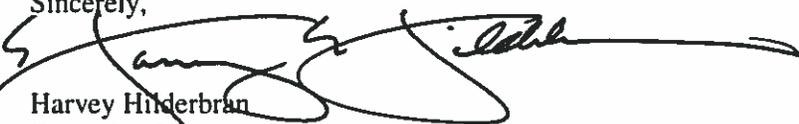
*Physical address:* 1711 San Jacinto Blvd, Austin, Texas 78701

—————★ *Planning and administering facilities in service to the State of Texas* ★ —————

- Providing updated street closure information to state agencies for distribution to their employees via the TFC monthly events newsletter which is also posted online at <http://www.tfc.state.tx.us/divisions/facilities/prog/pm/parking.html>
- Providing updated street closure and relevant construction-related activity information to the State Transportation Planning Committee, an information sharing and coordination entity that meets monthly; attendees included representatives from the Texas Department of Public Safety, Texas State Preservation Board (SPB), Capital Metro, City of Austin, Texas Facilities Commission, University of Texas, University of Texas System, Austin Police Department, and legislative staff
- Partnering with SPB to include street closure information online at <http://www.tspb.texas.gov/plan/parking/parking.html> for citizens planning to visit the Capitol Complex
- Encouraging other entities such as the Bob Bullock State History Museum, the Blanton Museum, Scholz Garten, Scottish Rite Theatre, and Megabus to post the project link online at their respective visitation/directions pages

My staff and I look forward to working with you and other elected officials on the successful completion of the Phase One project. Please let me know if I may be of any further assistance.

Sincerely,



Harvey Hinderbran  
Executive Director

cc: Peter Maass, Deputy Executive Director, Planning and Real Estate Management  
John Raff, Deputy Executive Director, Facilities Design and Construction

**Capitol Complex  
Tree Relocation Candidates**

The City of Austin worked closely with the Waller Creek Conservancy to evaluate transplant candidates in the project area. Listed below are seven trees that have been identified as candidates for relocation by the Waller Creek Conservancy team. The letters correspond to the attached Tree Key. Trees E and F are not reflected on this list as they are not scheduled for removal.

<b>Tree</b>	<b>Location</b>	<b>Species</b>	<b>Caliper</b>	<b>Estimated Relocation Cost</b>
A	City right-of-way	Live Oak	14	\$ 47,000.00
B	State property	Live Oak	39*	\$ 220,500.00
C	State property	Live Oak	40.5*	\$ 212,000.00
D	State property	Live Oak	23	\$ 105,000.00
G	City right-of-way	Live Oak	18	\$ 55,000.00
H	State property	Red Oak	14	\$ 47,000.00
I	City right-of-way	Live Oak	12	\$ 28,500.00
<b>TOTAL:</b>				<b>\$ 715,000.00</b>

\*Heritage Trees

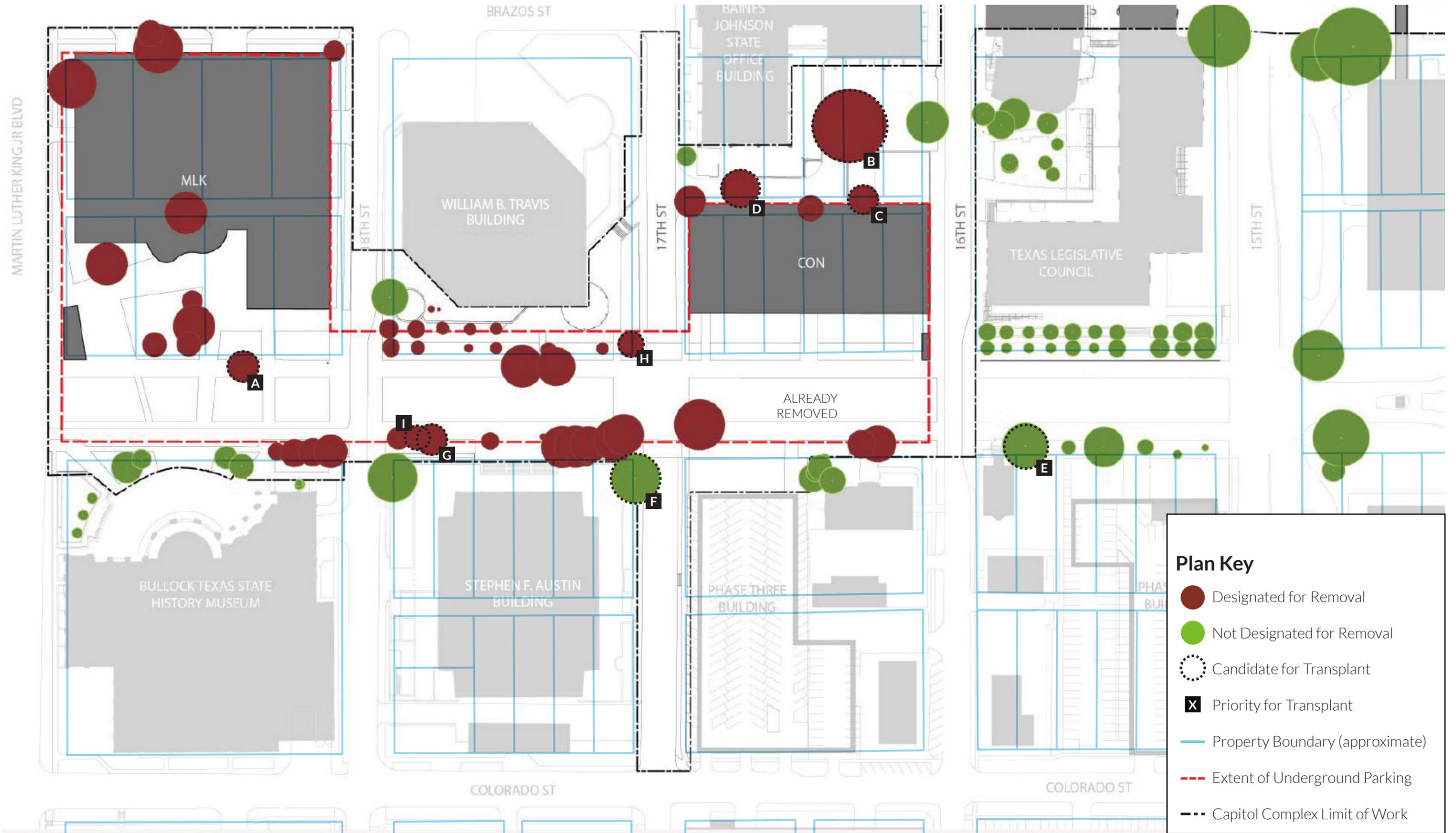


Exhibit A

<b>Leased Property List</b>	
<b>Agency</b>	<b>Address</b>
CPA	2015 IH 35 South
DPS	1033 La Posada Drive
DPS	7600 Chevy Chase Drive, Suite 500
DPS	13706 Research Blvd.
DPS	209 West 8th Street
OAG	6330 Highway 290 East
OAG	2015 IH 35 South
OAG	5500 Oltorf St.
OAG	2800, 2900 & 3000 S. IH-35
OAG	1106 Clayton Lane, Ste. 500E
OAG	7700 Chevy Chase Drive, Ste. 1.350, 1.305 & 1.310
OAG	2512 IH-35 South, 2nd Floor, Suite 200
TABC	5806 Mesa Drive
TCEQ	12015 Park 35 Circle
TCLEOSE	6330 Hwy 290 East
TDCJ	8610 & 8712 Shoal Creek
TDCJ	4616 West Howard Lane
TDHCA	1106 Clayton Lane, Ste. 270W and Ste. 470W
TDI	7551-10 Metro Center Drive
TDLR	1106 Clayton Ln, #E125; E325; E425; E130; E300 E105
TEA	400 West 15th Street
TEA	6201 East Oltorf
THECB	1200 East Anderson Lane
TLC	611 East 6th Street
TJJJ	11209 Metric Blvd
TPWD	1340 Airport Commerce Drive
TRC	8505 Cross Park Drive, Suite 110
TVC	7700 Chevy Chase Drive, Suite 300

Abbreviation Key:

- CPA – Comptroller of Public Accounts
- DPS – Department of Public Safety
- OAG – Office of the Attorney General
- TABC – Texas Alcoholic Beverage Commission
- TCEQ – Texas Commission on Environmental Quality
- TCLEOSE – Texas Commission on Law Enforcement
- TDCJ – Texas Department of Criminal Justice
- TDHCA – Texas Department of Housing and Community Affairs
- TDI – Texas Department of Insurance
- TDLR – Texas Department of Licensing and Regulation
- TEA – Texas Education Agency
- THECB – Texas Higher Education Coordinating Board
- TLC – Texas Lottery Commission
- TJJJ – Texas Juvenile Justice Department
- TPWD – Texas Parks and Wildlife Department
- TRC – Texas Racing Commission
- TVC – Texas Veterans Commission

## EXHIBIT B

**FY 2018**  
**Texas Facilities Commission Owned Inventory**

<b>Bldg. ID</b>	<b>Facility Name</b>	<b>Address</b>	<b>City</b>	<b>Use</b>
<b>Office</b>				
<b>BHB</b>	Brown-Healy Building	4900 North Lamar	Austin	Office
<b>CSB</b>	Central Services Building	1711 San Jacinto	Austin	Office
<b>CSX</b>	Central Services Annex	311 East 14th St.	Austin	Office
<b>ELP</b>	El Paso State Office Building	401 E. Franklin	El Paso	Office
<b>ERB</b>	Elias Ramirez State Building	5425 Polk Street	Houston	Office
<b>FTW</b>	Fort Worth State Building	1501 Circle Drive	Fort Worth	Office
<b>GJS</b>	G.J. Sutton Building	321 Center St.	San Antonio	Office
<b>GJSW</b>	G.J. Sutton Building West	321 Center St.	San Antonio	Office
<b>INS</b>	Insurance Building	1100 San Jacinto	Austin	Office
<b>INX</b>	Insurance Annex	221 E. 11th St.	Austin	Office
<b>JER</b>	James E. Rudder Building	1019 Brazos	Austin	Office
<b>JHR</b>	John H. Reagan Building	105 West 15th Street	Austin	Office
<b>JHW</b>	John H. Winters Building	701 West 51st Street	Austin	Office
<b>LBJ</b>	Lyndon B. Johnson Building	111 E. 17th St.	Austin	Office
<b>DARS</b>	DARS Administration Building	4800 North Lamar	Austin	Office
<b>P35A</b>	Park 35 Building A	12100 N. IH 35	Austin	Office
<b>P35B</b>	Park 35 Building B	12124 N. IH 35	Austin	Office
<b>P35C</b>	Park 35 Building C	12124 N. IH 35	Austin	Office
<b>P35D</b>	Park 35 Building D	12118 N. IH 35	Austin	Office
<b>P35E</b>	Park 35 Building E	12118 N. IH 35	Austin	Office
<b>PDB</b>	Price Daniel, Sr. Building	209 West 14th St.	Austin	Office
<b>REJ</b>	Robert E. Johnson Building	1501 North Congress	Austin	Office
<b>SCB</b>	Supreme Court Building	201 W. 14th St.	Austin	Office
<b>SFA</b>	Stephen F. Austin Building	1700 North Congress	Austin	Office
<b>SHB</b>	Sam Houston Building	201 East 14th St.	Austin	Office
<b>TCC</b>	Tom C. Clark Building	205 West 14th St.	Austin	Office
<b>THO</b>	E. O. Thompson Building	920 Colorado	Austin	Office
<b>TJR</b>	Thomas Jefferson Rusk Building.	200 E. 10th St.	Austin	Office
<b>TRC</b>	Carlos F. Truan Natural Resource Center	6300 Ocean Drive	Corpus Christi	Office
<b>TYL</b>	Tyler State Office Building	3303 Mineola Hwy	Tyler	Office
<b>WAC</b>	Waco State Building	801 Austin Ave.	Waco	Office
<b>WBT</b>	William B. Travis Building	1701 North Congress	Austin	Office
<b>WPC</b>	William P. Clements Building	300 West 15th St.	Austin	Office
<b>WPH1</b>	William P. Hobby Building Twr. I	333 Guadalupe St.	Austin	Office
<b>WPH2</b>	William P. Hobby Building Twr. II	333 Guadalupe St.	Austin	Office
<b>WPH3</b>	William P. Hobby Building Twr. III	333 Guadalupe St.	Austin	Office
<b>Warehouse/Storage</b>				
<b>HSW</b>	Human Services Warehouse	1111 North Loop	Austin	Warehouse
<b>INW</b>	Insurance Warehouse	7915 Cameron Road	Austin	Warehouse
<b>PROM</b>	Promontory Point	4044 Promontory Point	Austin	Service Center
<b>PROMN</b>	Promontory Point North Building	4044 Promontory Point	Austin	Service Center
<b>SRC</b>	State Records Center	4400 Shoal Creek Blvd.	Austin	Storage
<b>SUR1</b>	Surplus Property, San Antonio	2103 Ackerman Road	San Antonio	Warehouse
<b>SUR2</b>	Surplus Property, Fort Worth District	2826 N. Beach St.	Fort Worth	Warehouse
<b>TRCA</b>	Truan Natural Resource Center Boat Storage	6300 Ocean Drive	Corpus Christi	Boat Storage
<b>WHB</b>	Warehouse at Bolm Road	6506 Bolm Road	Austin	Warehouse
<b>Miscellaneous</b>				
<b>APB</b>	Aircraft Pooling Board Building (A.B.I.A.)	10335 Golf Course Rd	Austin	Office / Hangar
<b>APB3</b>	Hangar 3 at New Aircraft Pooling Board	10335 Golf Course Rd	Austin	Hangar
<b>APB4</b>	Hangar 4 at New Aircraft Pooling Board	10335 Golf Course Rd	Austin	Hangar
<b>ARC</b>	Lorenzo de Zavala Archives & Library	1200 Brazos	Austin	Archives/Storage
<b>CCF1</b>	Child Care Center Bldgs.	1501 Lavaca	Austin	Classroom
<b>CCF2</b>	Child Care Center Bldgs.	1507 Lavaca	Austin	Classroom
<b>DROC</b>	Disaster Recovery Operations	1001 W. No. Loop	Austin	Computer Center
<b>ERA</b>	Elrose Apartment Building	108 W. 16th Street	Austin	Office
<b>OAL</b>	Old American Legion Building	1500-06 N. Congress	Austin	Service Center
<b>WLL</b>	Wheless Lane Laboratory	2801 Wheless Lane	Austin	Laboratory
<b>Parking Garages</b>				
<b>CVP</b>	Capitol Visitors Parking Garage	1201 San Jacinto	Austin	Garage
<b>PKA</b>	Parking Garage A	1401 San Jacinto	Austin	Garage
<b>PKB</b>	Parking Garage B	1511 San Jacinto	Austin	Garage
<b>PKC</b>	Parking Garage C	1400 Colorado	Austin	Garage
<b>PKE</b>	Parking Garage E	1604 Colorado	Austin	Garage
<b>PKF</b>	Parking Garage F	1311 San Jacinto	Austin	Garage
<b>PKG</b>	Parking Garage G	315 E. 17th St.	Austin	Garage
<b>PKH</b>	Parking Garage H	4900 North Lamar	Austin	Garage
<b>PKHW</b>	Parking Garage H West	4900 Sunshine	Austin	Garage

EXHIBIT B

<b>PKJ</b>	Parking Garage J	300 West 15th St.	Austin	Garage
<b>PKK</b>	Parking Garage K Thomas J. Rusk Bldg.	200 E. 10th St.	Austin	Garage
<b>PKL</b>	Parking Garage L William P Hobby Bldg.	333 Guadalupe St.	Austin	Garage
<b>PKM1</b>	Parking Garage M1 Price Daniel Bldg.	209 West 14th St.	Austin	Garage
<b>PKM2</b>	Parking Garage M2 Tom C Clark Bldg.	205 West 14th St.	Austin	Garage
<b>PKN</b>	Parking Garage N	300 San Antonio	Austin	Garage
<b>PKP</b>	Parking Garage P	1518 San Jacinto	Austin	Garage
<b>PKQ</b>	Parking Garage Q	1610 San Jacinto	Austin	Garage
<b>PKR</b>	Parking Garage R	1706 San Jacinto	Austin	Garage
<b>EPG</b>	El Paso State Building Garage	301 E. Missouri	El Paso	Garage
<b>Parking Lots</b>				
<b>PK02</b>	Parking Lot 2	111 E. 17th St.	Austin	Parking lot
<b>PK03</b>	Parking Lot 3	1601 Colorado	Austin	Parking lot
<b>PK06</b>	Parking Lot 6	1308 San Jacinto	Austin	Parking lot
<b>PK07</b>	Parking Lot 7	1807 North Congress	Austin	Parking lot
<b>PK08</b>	Parking Lot 8	1507 Lavaca	Austin	Parking lot
<b>PK8A</b>	Parking Lot 8A	1507 Lavaca	Austin	Parking lot
<b>PK8B</b>	Parking Lot 8B	1507 Lavaca	Austin	Parking lot
<b>PK11</b>	Parking Lot 11	1500 North Congress	Austin	Parking lot
<b>PK12</b>	Parking Lot 12	1801 San Jacinto	Austin	Parking lot
<b>PK14</b>	Parking Lot 14	1000 North Congress	Austin	Parking lot
<b>PK15</b>	Parking Lot 15	902 Colorado	Austin	Parking lot
<b>PK18</b>	Parking Lot 18	1301 San Jacinto	Austin	Parking lot
<b>PK19</b>	Parking Lot 19	203 MLK Blvd.	Austin	Parking lot
<b>PK22</b>	Parking Lot 22	1501 San Jacinto	Austin	Parking lot
<b>PK24</b>	Parking Lot 24	1606 Colorado	Austin	Parking lot
<b>PK25</b>	Parking Lot 25	1111 Colorado	Austin	Parking lot
<b>PK26</b>	Parking Lot 26	701 W. 51st Street	Austin	Parking lot
<b>PK27</b>	Parking Lot 27	101 E 11th Street	Austin	Parking lot
<b>APBP</b>	Aircraft Pooling Board Parking Lot/Sidewalk	10335 Golf Course Rd.	Austin	Parking lot
<b>CCP</b>	Truan Natural Recource Center Parking Lot	6300 Ocean Drive	Corpus Christi	Parking lot
<b>ELPP</b>	El Paso State Building Parking Lot	401 E. Franklin	El Paso	Parking lot
<b>ERBP</b>	Elias Ramirez Building Parking Lots	5425 Polk Avenue	Houston	Parking lot
<b>FTWBP</b>	Fort Worth Building Parking Lots	1501 Circle Drive	Fort Worth	Parking lot
<b>GJSP</b>	G. J. Sutton Building Parking Lots	321 Center St.	San Antonio	Parking lot
<b>HSWP</b>	Human Services Warehouse/DROC Parking Lots	1111 North Loop	Austin	Parking lot
<b>P35P</b>	Park 35 Parking Lots	12100 N. IH 35	Austin	Parking lot
<b>PROMP</b>	Promontory Point Parking Lots	4044 Promontory Point	Austin	Parking lot
<b>SRCP</b>	State Records Center Parking Lots	4044 Shoal Creek Blvd.	Austin	Parking lot
<b>SUR1P</b>	Surplus Property, San Antonio Parking Lot/Storage	2103 Ackerman Road	San Antonio	Parking lot/Storage
<b>SUR2P</b>	Surplus Property, Fort Worth Parking Lot/Storage	2826 N. Beach St.	Fort Worth	Parking lot/Storage
<b>TYLP</b>	Tyler State Parking Lot	3303 Mineola Hwy.	Tyler	Parking lot
<b>WHBP</b>	Warehouse at Bolm Road Parking	6506 Bolm Road	Austin	Parking lot
<b>WSBP</b>	Waco State Building Parking Lots	801 Austin Ave.	Waco	Parking lot
<b>Land</b>				
<b>ESP</b>	Esplanade	1200 San Jacinto	Austin	Land

# WALLER CREEK TRANSPLANT TREE ANALYSIS\_**draft** report

2017/10/11

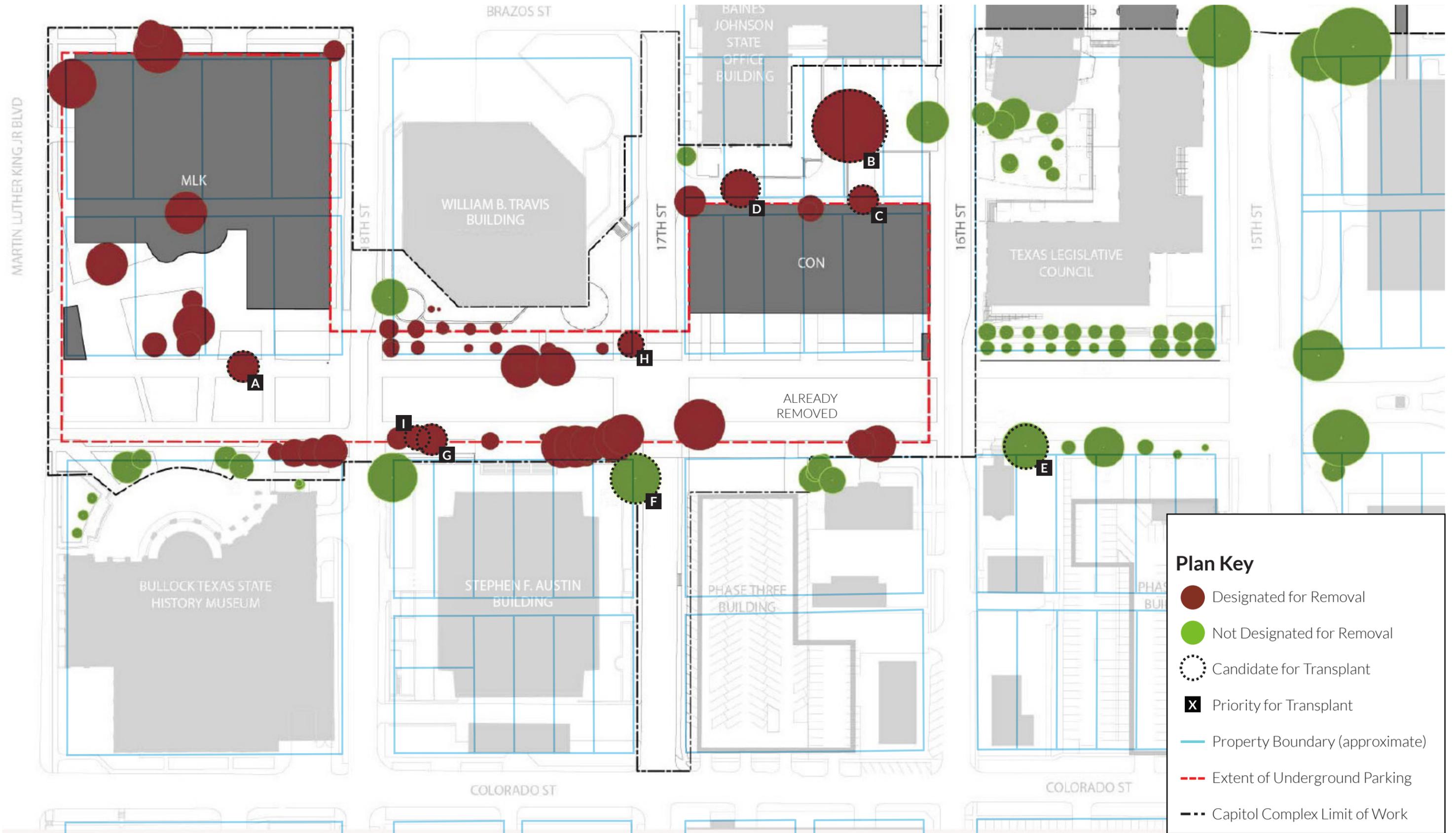
## Executive Summary

The goal of this tree analysis report is to help identify possible trees impacted by the upcoming Texas Capitol Complex construction project that could be good candidates for transplanting to sites associated with the Waterloo Park and Waller Creek improvement projects.

This report is based on field analysis undertaken by staff from dwg on August 29, 2017 to September 1, 2017. Field measurements included: verification of dbh caliper size, measurement of approximate canopy size, smart level measurement of ground slope at tree, estimation of overall height, etc. In addition, multiple plan referenced photos were taken of each tree studied. Additional qualities such as tree health, canopy fullness, trunk straightness, etc. were recorded for each tree on a sliding numerical or high/low scale. All of these measurements are included in the summary spreadsheet included in the report.

In total, 70 trees were analyzed during this process. A number of these are located outside of the official limits of work for the Capitol Complex project but still within the potential area of construction impact depending on how the project progresses. As such, dwg thought it valuable to identify these potential transplant candidates.

In addition to dwg's field analysis, the project team received input from a tree relocation contractor to determine transplant cost estimates and other constraints. As a result, of the 70 trees studied, approximately 9 have have been deemed potential candidates for transplant and have been ranked by preference.



# Tree Assessment Report - Candidates for Transplant

## Waller Creek Tree Transplant Analysis

Austin, TX

assessment by: Aaron Odland & Clare Drummond (8/28/17)

Priority for Transplant	Capitol Corridor Status	Tree Tag #	Trunk diameter(s) (IN)	Total Cal. (IN)	Species	MULTI-TRUNK	STRAIGHTNESS	STRUCTURE	CANOPY FULLNESS	CLEAR TRUNK	ROOT EXPOSURE	DAMAGE	SLOPE CONDITION	HEIGHT	CANOPY DIMENSIONS	ADJACENT UTILITIES	ADJACENT STRUCTURES	TRANSPLANT VIABILITY	DWG SURVEY #
						number of trunks	1 = straight 5 = severe lean	branches 1 = symmetrical, balanced 5 = asymmetrical, uneven	1 = thick 5 = thin	relative to overall proportions 1 = low 3 = normal 5 = high	1 = slightly exposed 5 = severely buried	possible lightning strike, pest, rotting, etc. 1 = minimal 5 = severe	existing slope	# building stories	X dimension Y dimension	describe & include measured distance	describe & include measured distance	how easy to transplant 1 = very easy 2 = difficult	
A		873		14	Live Oak	1	2	1	1	1	3	1	1.9	2	29 x 29		8' sidewalk	2	28
B		(no tag)		39	Live Oak	1	3	2	3	2	2	0	16.3	4	62 x 60		30' to wall	1 (location)	66
C		885	14, 19, 24	40.5	Live Oak	3	1	1	1	1	1	1	17.6	3	54 x 54		9' wall	2	65
D		882		23	Live Oak	1	1	3	2	4	2	1	14.3	4	53 x 40	16' gas	11' wall	2 (proximities)	63
E		788		25	Live Oak	1	2	1	1	1	1	1	35.6	3	43 x 44				6
F		(no tag)		27	Live Oak	1	1	2	2	1	3	1	1.5	2.5	52 x 47		2' wall	4	7
G		830		18	Live Oak	1	2	4	1	1	3	1	11.9	2.5	29 x 36			2	17
H		834		14	Red Oak	1	1	2	1	2	1	0	0.3	2	28 x 30		1' paving	1	53
I		831		12	Live Oak	1	2	3	2	2	4	2 pruning	13.6	2	20 x 30			2	18

= Designated for Removal

= Not Designated for Removal

### A. #873, Live Oak



**Properties:**

- **Designated for Removal**
- Size: 14" cal.
- Adjacent structures: 8' to sidewalk
- Adjacent utilities: TBD
- Damage: minimal
- Structure: symmetrical
- Canopy: 29' x 29'
- Canopy fullness: full
- Root exposure: normal
- Straightness: mostly straight
- Trunk clearness: low
- Height in bldg stories: 2
- Slope: 1.9%
- dwg. Survey #28

### B. No Tag #, Live Oak



**Properties:**

- **Designated for Removal**
- Size: 39" cal.
- Adj. structures: 30' to wall
- Adjacent utilities: TBD
- Damage: minimal
- Structure: slightly asymmetrical
- Canopy: 62' x 60'
- Canopy fullness: slightly thin
- Root exposure: normal
- Straightness: slight lean
- Trunk clearness: slightly low
- Height in bldg stories: 4
- Slope: 16.3%
- dwg. Survey #66

### C. #885, Live Oak



**Properties:**

- **Designated for Removal**
- Multi-trunk: 14, 19, 24
- Size: 40.5' total cal.
- Adjacent structures: 9' to wall
- Adjacent utilities: TBD
- Damage: minimal
- Structure: symmetrical
- Canopy: 54' x 54'
- Canopy fullness: full
- Root exposure: slightly exposed
- Straightness: straight
- Trunk clearness: low
- Height in bldg stories: 3
- Slope: 17.6%
- dwg. Survey #65

### D. #882, Live Oak



**Properties:**

- **Designated for Removal**
- Size: 23" cal.
- Adjacent structures: 11' to wall
- Adjacent utilities: 16' to sidewalk
- Damage: minimal
- Structure: somewhat asymmetrical
- Canopy: 53' x 40'
- Canopy fullness: mostly full
- Root exposure: normal
- Straightness: straight
- Trunk clearness: slightly high
- Height in bldg stories: 4
- Slope: 14.3%
- dwg. Survey #63

### E. #788, Live Oak



#### Properties:

- **Not Designated for Removal**
- Size: 25" cal.
- Adjacent structures: none
- Adjacent utilities: TBD
- Damage: minimal
- Structure: symmetrical
- Canopy: 43' x 44'
- Canopy fullness: full
- Root exposure: slightly exposed
- Straightness: mostly straight
- Trunk clearness: low
- Height in bldg stories: 3
- Slope: 35.6%
- dwg. Survey #6

### F. No Tag #, Live Oak



#### Properties:

- **Not Designated for Removal**
- Size: 27" cal.
- Adjacent structures: 2' to wall
- Adjacent utilities: TBD
- Damage: minimal
- Structure: mostly symmetrical
- Canopy: 52' x 47'
- Canopy fullness: mostly full
- Root exposure: normal
- Straightness: straight
- Trunk clearness: low
- Height in bldg stories: 2.5
- Slope: 1.5%
- dwg. Survey #7

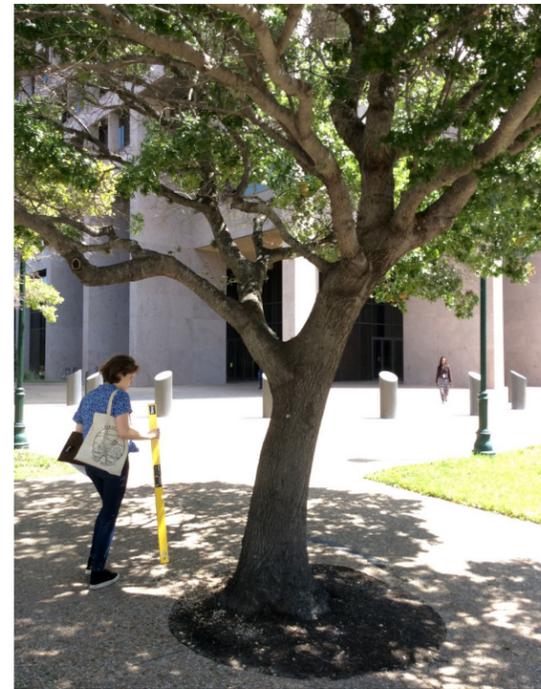
### G. #830, Live Oak



#### Properties:

- **Designated for Removal**
- Size: 18" cal.
- Adjacent structures: none
- Adjacent utilities: TBD
- Damage: minimal
- Structure: somewhat asymmetrical
- Canopy: 29' x 36'
- Canopy fullness: full
- Root exposure: normal
- Straightness: mostly straight
- Trunk clearness: low
- Height in bldg stories: 2.5
- Slope: 11.9%
- dwg. Survey #17

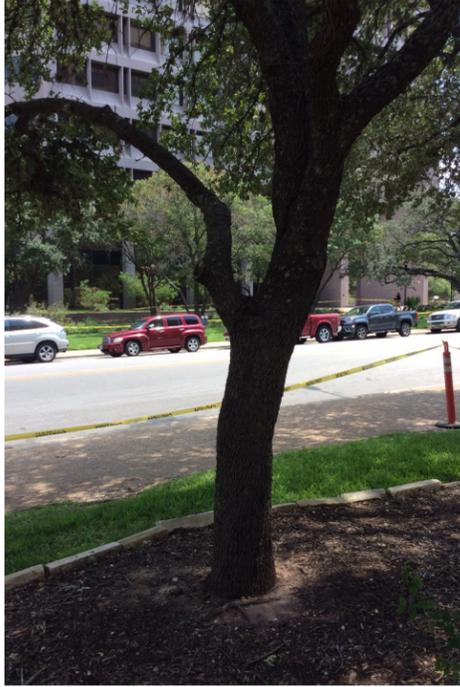
### H. #834, Red Oak



#### Properties:

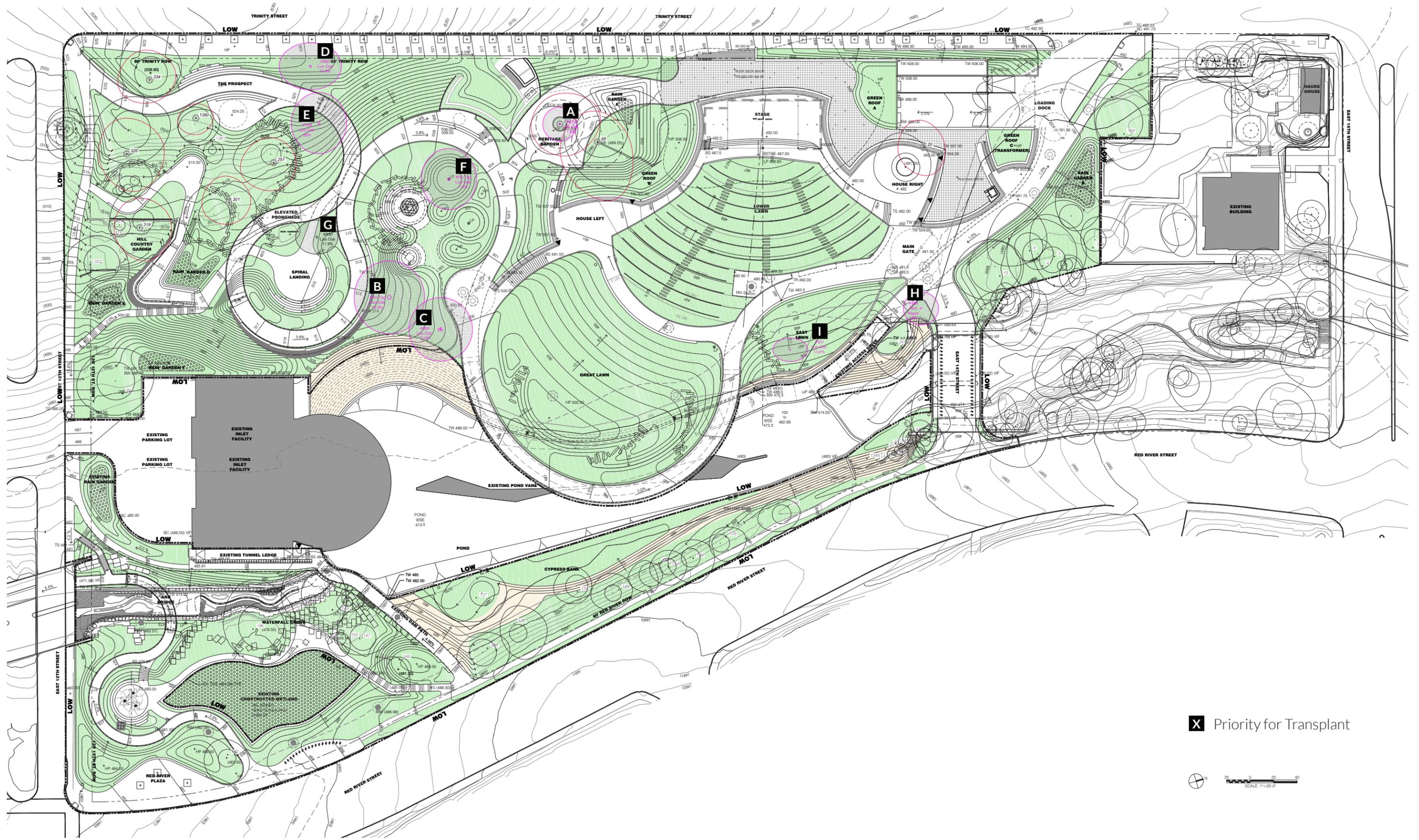
- **Designated for Removal**
- Size: 14" cal.
- Adjacent structures: 1' to paving
- Adjacent utilities: TBD
- Damage: minimal
- Structure: slightly asymmetrical
- Canopy: 28' x 30'
- Canopy fullness: full
- Root exposure: slightly exposed
- Straightness: straight
- Trunk clearness: slightly low
- Height in bldg stories: 2
- Slope: 0.3%
- dwg. Survey #53

## I. #831, Live Oak



### Properties:

- **Designated for Removal**
- Size: 12" cal.
- Adjacent structures: none
- Adjacent utilities: TBD
- Damage: low, pruning
- Structure: slightly asymmetrical
- Canopy: 20' x 30'
- Canopy fullness: full
- Root exposure: slight bury
- Straightness: mostly straight
- Trunk clearness: slightly low
- Height in bldg stories: 2
- Slope: 13.6%
- dwg. Survey #18



WALLER CREEK TRANSPLANT TREE ANALYSIS\_Proposed Transplant Location in Waterloo Park

# Capitol Complex Phase One



## Heritage Trees in City of Austin Right-of-Way proposed for removal:

-  24-inch Live Oak
-  29-inch American Elm



## Recommendation for Action

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**File #:** 17-1594, **Agenda Item #:** 98.

12/14/2017

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### **Agenda Item**

**Agenda Item #98:** Approve a resolution directing the City Manager to negotiate and execute an interlocal agreement with the Texas Department of Transportation (TXDoT) to initiate a pilot program to address public health and safety issues under and near TXDoT property near the US290/SH 71 overpass at Manchaca Road and Packsaddle Pass.

### **QUESTION:**

Please provide information regarding the components of the interlocal agreement, as well as, a draft of the interlocal agreement, if available.

MAYOR PRO TEM TOVO'S OFFICE

### **ANSWER:**

One component will be to allow (not require) the City of Austin to act as an agent of TXDoT to enforce no trespassing ordinances.

There is currently no draft ILA. That is to be negotiated and executed, but should be based on an MOU presented by TXDoT to the City.



## Recommendation for Action

**File #:** 17-1599, **Agenda Item #:** 101.

12/14/2017

### Agenda Item

**Agenda Item #101:** C814-2017-0024 - Holdsworth Center PUD - District 10 - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 4907 RM 2222 Road (Lake Austin Watershed). Applicant's Request: To rezone from Lake Austin residence (LA) district zoning and single family residence-standard lot (SF-2) district zoning to planned unit development (PUD) district zoning. First Reading approved on November 9, 2017. Vote: 11-0. Owner/Applicant: Holdsworth Center For Excellence In Education Leadership, LLC. Agent: Armbrust & Brown, PLLC (David Armbrust). City Staff: Wendy Rhoades, 512-974-7719

### QUESTION:

- 1) After 5 years how do we trigger reevaluation of compliance with the traffic demand management (TDM) program and remedy any potential noncompliance?
- 2) Since the TDM program appears to max out at \$60,000 over the course of five years, does it just cost \$12000 a year to violate? What would the money go towards? What would govern it?
- 3) If the PUD is in non-compliance of the TDM, could staff "red-tag" the property as being not in compliance or the ordinance until they comply? If so, please explain the process and criteria that would need to be met to trigger that action.

COUNCIL MEMBER ALTER'S OFFICE

### ANSWER:

- 1) Negotiations with the applicant, it was understood that event attendees who exceed the maximum number of daily allowed trips will not be permitted to attend future events, thus self-regulating this concern. Five years of operation is considered reasonable for the Landowner to establish proper procedures to stay in compliance with the TDM program.
- 2) The maximum annual penalty is \$12,000. This money may go toward operating charter vehicle service from around the state to the site, educating event attendees of the site access requirements, and other measures determined to be appropriate after evaluation.
- 3) The City does not currently have a "red-tag" process for TDM compliance; such language would need to be in the TDM program if desired.