

**AGENDA**



**Recommendation for Council Action**

**AUSTIN CITY COUNCIL**

**Regular Meeting: September 20, 2018**

Item Number: **024**

**Public Health**

Authorize negotiation and execution of eight interlocal agreements with the municipalities of Bee Cave, Lakeway, Manor, Rollingwood, Village of San Leanna, Sunset Valley, Village of Volente and West Lake Hills to provide public health services for a 12-month period beginning October 1, 2018, with up to four 12-month extension options.

<b>Lead Department</b>	Austin Public Health.
<b>Fiscal Note</b>	This item has no fiscal impact.
<b>Prior Council Action</b>	On September 23, 2013, Council authorized execution of interlocal agreements with the cities of Bee Cave, Lakeway, Manor, Rollingwood, Village of San Leanna, Sunset Valley, Village of Volente and West Lake Hills to provide public health services for initial terms of one year with renewal options for up to four one-year terms. The motion was approved on Council Member Morrison’s motion, Mayor Pro Tem Cole’s second on a 7-0 vote.
<b>For More Information</b>	Stephanie Hayden, Director, 512-972-5010; Don Hastings, Assistant Director, APH Environmental Health Services Division, 512-978-0303; Vincent Delisi, Program Manager II, APH Environmental Health Services Division, 512-978-0319; Denise Estrada, Customer Solutions Coordinator, 512-978-0339; Estella Kirscht, Agenda Coordinator 512-972-5039.

### **Additional Backup Information:**

Since October 1, 2005, the City has entered into interlocal agreements (ILAs) with municipalities to provide public health services, including the issuance and performance of food establishment permits and inspections, swimming pool/spa permits and inspections, custodial care facility inspections, and general environmental complaint investigations. The City is compensated for its food, pool and custodial care-related services through the receipt of permit-fees paid by businesses operating in the municipalities, and for environmental investigation services, two municipalities each pay the City a flat fee of \$1500 per year.

Council approval of this action will authorize the City Manager or his designee to negotiate and execute these interlocal agreements to be effective October 1, 2018. The agreements will be effective for Fiscal Year 2018-2019 and will be reviewed annually for renewal for up to four additional years.

Under the ILA the City will:

- Administer and enforce State laws and municipal ordinances regulating food enterprises (including plan review, permit issuance, inspections and complaint investigations).
  - o Applicable to seven of the eight municipalities (Bee Cave, Lakeway, Manor, Rollingwood, Sunset Valley, Village of Volente and West Lake Hills); excludes Village of San Leanna.
- Administer and enforce State laws and municipal ordinances regulating pools and spas (including plan review, permit issuance, inspections and complaint investigations).
  - o Applicable to six of the eight municipalities (Lakeway, Manor, Rollingwood, Sunset Valley, Village of Volente and West Lake Hills); excludes Bee Cave and Village of San Leanna.
- Conduct annual environmental (sanitation) inspections of custodial care facilities (child care centers, and foster and adoptive homes).
  - o Applicable to seven of the eight municipalities (Bee Cave, Lakeway, Manor, Rollingwood, Sunset Valley, Village of Volente and West Lake Hills); excludes Village of San Leanna.
- Conduct investigations of general environmental complaints referred to the City by the municipalities (regarding trash, rubbish, weeds, junk vehicles, etc.).
  - o Applicable to two of the eight municipalities (Rollingwood and Village of San Leanna); excludes Bee Cave, Lakeway, Manor, Sunset Valley, Village of Volente and West Lake Hills.
- Prepare and maintain case files on inspections, and inform the municipality of the inspections and any related recommendations for action. Make staff available for testimony in court proceedings in the event lawsuit is brought regarding the services provided pursuant to this agreement or the municipality's enforcement actions.
  - o Applicable to all eight municipalities (Bee Cave, Lakeway, Manor, Rollingwood, Village of San Leanna, Sunset Valley, Village of Volente and West Lake Hills).

Under the ILA the municipalities will have the following responsibilities:

- Authorize personnel of the City's Austin Public Health Department (APH) to act as its agent in enforcing State law and applicable municipal ordinances.
- Provide the City with certified copies of the municipal ordinance to be used to enforce these agreements.
- Schedule and conduct any enforcement hearing, assess and collect fines and penalties, and enforce liens.

APH is recommending that Council approve this action and authorize the City Manager or his designee to negotiate and sign the interlocal agreements with the eight municipalities.