



City of Austin

301 W. Second Street
Austin, TX

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

Thursday, November 15, 2018

Austin City Hall

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

- 20. Agenda Item #20:** Approve an ordinance amending the Fiscal Year 2018-2019 Schedule of Fees, Fines, and Other Charges to be set or charged by the City (Ordinance No. 20180911-002) to revise the Parks and Recreation Department's Cemetery Operations fees to fund increased contract fees from the vendor for interment services.

QUESTION:

What factors were included in revising the fee schedule? Please share any market study analyses conducted to determine the new fee structure.

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

The revised fee schedule is the result of a request from the vendors who asked for a price increase in order to accommodate increased costs of living expenses, as well as equipment leases. PARD cemetery staff utilized the 2016 market research document published by the Funeral Consumer Alliance of Central Texas as backup for their research associated with fees.

- 26. Agenda Item #26:** Authorize negotiation and execution of an interlocal agreement with the Health and Human Services Commission for the Community Partner Program for a 48-month term.

QUESTION: Will this interlocal agreement require staff bandwidth or any other resources? Is

HHSC reimbursing APH for these? If not, are resources already included in the approved budget?
COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

This interlocal agreement allows existing Neighborhood Services Unit (NSU) staff to assist clients apply for Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Children's Health Insurance Program (CHIP) and Health and Human Services Commission (HHSC) programs. The Community Services Block Grant (CSBG) is the one of the major funding sources for NSU. One of the requirements of the grant is to connect clients to community resources by completing applications for services. While HHSC does not provide reimbursement, the agreement allows staff access to connect our clients directly to SNAP, TANF and CHIP. Funding was approved in the FY 19 budget for CSBG grant funding and general funds for existing employees to provide these services.

- 30. Agenda Item #30:** Authorize negotiation and execution of a multi-term contract with Contract Callers, Inc., or one of the other qualified offerors to Request For Proposals 1100 SMB3001, to provide tertiary level collection services on delinquent utility accounts, for up to five years for a total contract amount not to exceed \$2,500,000.

QUESTION:

1. Can you please provide more descriptive data about the accounts sent to collections, both secondary and tertiary, to include overall number of accounts, overall dollar amount, average number of accounts sent per month, average dollar amount of accounts, and recovery rates? Please also provide any descriptive statistics available about the types of accounts, whether any customer assistance programs had been used to bring the accounts current before or after the accounts were sent to collections, and service locations (by ZIP code, Council District, or other aggregated measure), if possible.
2. Section IV (B) of the scope of work included in the solicitation documents states that AE can recall accounts from secondary and tertiary collections at its discretion. What factors are considered when making a determination to recall an account from collections?
3. When reviewing and scoring proposals, is any consideration given to complaints against the respondents filed with the Consumer Financial Protection Bureau or other agencies for unfair collections practices?

COUNCIL MEMBER GARZA'S OFFICE

ANSWER:

1. Accounts placed with a secondary level collection company are for customer accounts that have been inactive for 1-2 years or for customers who left the service area with debt owed. Accounts placed with tertiary collection agencies are for accounts that have been inactive at least two years or for customers who left the service area with debt owed.

Secondary Collection Services Data (since September 2013):

Total Number of Accounts Placed.....	15,117
Total Dollar Amount Placed.....	\$9,690,607
Average Number of Accounts Placed Per Month in FY 18.....	1,344
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Average Balance of Account Placed in FY 18.....	\$630.76
Net Recovery Rate for Accounts placed in FY 18.....	2.59%

Tertiary Collection Services Data (since January 2017):

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recalled from Contract Callers Inc. and housed in the City's billing system until a new contract can be executed.

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Due to the short turn around on this request, staff was unable to gather the district and zip code data because the debt is 3-15 years old and may span two billing systems, and the debt is for the last physical address at which the customer resided.

The City of Austin Utilities has numerous resources and programs to help customers pay bills and keep balances current. In addition, the City (internally) attempts to collect any outstanding balances for 30-45 days prior to sending to a primary collection services agency.

2. The City of Austin will recall accounts from the third party collection service companies for the following reasons: adjustments made to the customer's final bill, the customer moves back into the service area and agrees to pay the past due balance to start new services, or the customer notifies us of a bankruptcy filing or identity theft case.
3. Yes. In the solicitation, respondents were asked to describe how they tested for Fair Debt Collection Practices Act (FDCPA) compliance; and if their agency has been fined, censured or reprimanded for failure to comply with the FDCPA or other state collection regulations, to explain the circumstances involved. During the previous contract from June 2016 to May 2018, the City of Austin Utilities did not receive any escalations involving the way Contract Callers, Inc. handled collecting customer debt.

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QUESTION:

Please explain why there is a reduction in scope, but an increase in contractual costs?

Has the contractor been in compliance with the current contract? If no, what remedies have been achieved to bring the contractor into compliance?

Please share all amendments to the contract with Internment Services, Inc.

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

1. The price increase, as requested by the Contractor, is necessary in order to extend the current contract. The City has already tried to re-solicit for these services, receiving no offers, including none from the current contractor. As the City intends to begin performing these services using internal staff in the coming years, there is little to no interest in the market to provide these services on a short-term basis. Even under the reduced scope, the current contractor is only willing to continue to perform these services at a higher rate. Given the City's short-term plans to discontinue contracting for these services and the lack of interest from the market to perform these services on an interim basis, staff recommends approval of this item
2. The Contractor is in compliance with the terms of the contract. Over the contract's

term thus far, there have been a few performance issues. Each time, when the issue was brought to the contractor's attention, the contractor took appropriate action to resolve the issue. Examples of performance issues that were successfully resolved under this contract include resetting of monuments and correcting any damage to monuments as requested by the City.

3. Attached are copies of the executed contract amendment numbers 1 and 2 as well as the proposed contract amendment number 3, which is subject to Council authorization.

37-38. Agenda Items #37, #38:

Agenda Item #37: Authorize negotiation and execution of advanced funding agreements with Pressler RRI, LP to establish the Pressler/Paul Street Railroad Quiet Zone Project in an amount not to exceed \$1,611,379; amending the Fiscal Year 2018-2019 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to accept \$1,611,379 from Pressler RRI, LP; and amending the Fiscal Year 2018-2019 Austin Transportation Department Capital Budget (Ordinance No. 20180911-001) to transfer in and appropriate up to \$1,611,379 from the Austin Transportation Department Operating Budget Special Revenue Fund in support of the Pressler/Paul Street Railroad Quiet Zone Project. Related to Item 38.

Agenda Item #38: Authorize negotiation and execution of Public Highway At-Grade Crossing Agreements with the Union Pacific Railroad to establish the Pressler/Paul Street Railroad Quiet Zone Project in an amount not to exceed \$2,087,555. Related to Item 37.

QUESTION: The primary purpose of a train horn is to warn persons and animals of danger from a passing train, especially near grade crossings, in order to prevent accidents. Please provide specifics regarding planned measures to mitigate risks (such as: improved gates that block traffic in all directions, road channelization or medians that prevent cars from driving around gates, converting two-way streets into one-ways or prohibiting cars from crossing the tracks at night, wayside horns which sound at the crossing, not on the trains, limiting noise pollution, as relevant). Please explain what was considered and why a specific measure was chosen.

COUNCIL MEMBER ALTER'S OFFICE

ANSWER (REVISED):

The purpose of railroad train horns is to warn persons or animals who may be in the way of an oncoming train of approaching danger. Establishment of a railroad quiet zone requires implementation of design features that limits the need for the train engineer to sound a warning horn. Establishment of a quiet zone does not eliminate the responsibility of the train engineer to sound the horn anytime a safety threat is observed. Thus, even with a quiet zone, if a person wanders too close to the track, an approaching train engineer is required to sound the horn. A quiet zone does limit the opportunity for people, animals, and cars to intrude into the operating space of the railroad, therefore limiting the likelihood on a routine basis for the trains to sound their horns. The quiet zone does not address other noise generated by the railroad such as Diesel engine noise, mechanical noise, or rail squeal.

Working with the Union Pacific Railroad (UPRR), Austin has successfully established quiet zones throughout the community along the MoPAC UPRR rail line. The subject crossing located at Paul and Pressler streets is the last remaining non-quiet zone in central Austin. The agreement with UPRR authorizes the railroad to develop the design of the proposed quiet zone and in coordination with the City, implement the modifications. The existing unprotected rail crossings at both Pressler and Paul Streets will be brought up to safe quiet zone standards, likely

requiring a full quad gate, with the actual design elements to be developed by UPRR in coordination with the City of Austin as part of the proposed funding. Safe at-grade pedestrian crossings of the UPRR track will be included as part of the project.

- 39. Agenda Item #39:** Authorize payment of the City's membership fees for Fiscal Year 2018-2019 to the Greater Austin-San Antonio Corridor Council, which promotes the region's economic development, in an amount not to exceed \$100,000.

QUESTION: Please explain the Economic Development Department's role in the City's participation with the Greater Austin-San Antonio Corridor Council.

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

The Economic Development Department (EDD) has not participated in the Greater Austin San-Antonio Corridor Council. The Austin Transportation Department will work with EDD to identify opportunities to participate in the future.

- 73. Agenda Item #73:** Authorize negotiation and execution of a design build agreement with JE Dunn Construction, for design and construction services for New Fire / EMS Stations project in an amount not to exceed \$12,000,000.

QUESTION: Will the Canyon Creek area Fire/EMS station be co-located with the NW APD Substation on the newly purchased properties on 620?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

Fire and EMS are planning to locate the Canyon Creek station at the City property located on 620. This future station will meet the 'Standard of Coverage' response time goal for arrival in eight (8) minutes or less 90% of the time. Austin Police requested a delay in discussing/evaluating co-location of a North West APD Substation until December 2018.

- AHFC 003 Agenda Item AHFC #003:** Approve a resolution authorizing the issuance of Austin Housing Finance Corporation Multi-family Housing Revenue Bonds, in an aggregate principal amount up to \$13,000,000; approving related documents, in substantially the form attached to the resolution, to provide financing for the development of the Elysium Grand Apartments located at 3300 Oak Creek Drive; authorizing specific named representatives of the Austin Housing Finance Corporation to execute the documents relating to issuance of the bonds and closing the transaction; and approving related matters.

QUESTION: Is the action initiated via Resolution No. 20180510-051 reflected in this agreement (and other developments' bond issuances?)

MAYOR PRO TEM KATHIE TOVO'S OFFICE

ANSWER:

As this project was awarded Development Assistance funds through the Rental Housing Development Assistance program, this property is required to comply with the tenant protections program as referenced in Resolution No. 20180510-051. The process for incorporating these protections into all bond issuances has been identified and will be initiated for future bond issuances. Staff is preparing a response to submit prior to the timeline set in the Resolution. Further, this will be addressed by staff in early 2019 as part of NHCD's strategy to implement the Housing Blueprint and deploy the 2018 General Obligation Bonds for Affordable Housing.



Recommendation for Action

File #: 18-3790, **Agenda Item #:** 20.

11/15/2018

Agenda Item

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QUESTION:

What factors were included in revising the fee schedule? Please share any market study analyses conducted to determine the new fee structure.

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

The revised fee schedule is the result of a request from the vendors who asked for a price increase in order to accommodate increased costs of living expenses, as well as equipment leases. PARD cemetery staff utilized the 2016 market research document published by the Funeral Consumer Alliance of Central Texas as backup for their research associated with fees.



2016 SURVEY OF AUSTIN AREA PRICES OF SELECTED CEMETERIES

Produced and Published by the Funeral Consumers Alliance of Central Texas

In using this survey data, keep in mind:

- The footnotes contain useful information.
- There are hundreds of cemeteries in Central Texas. This sampling is intended to illustrate a wide variety of choices. Your own research will expand your options.
- Survey data were collected in July and August, 2016. As with all goods and services, prices are subject to change.

Name / Ownership Location	Phone # / Website: Yes or No	Cemetery Open Hours	Adult Plot Cost for <u>casket</u> burial (see note 1)	Cost to open & close <u>casket</u> plot Mon. – Fri. (see note 2)	Grave Liner Required	Plot Cost for <u>urn</u> burial (see note 1)	Columbarium / Urn Niches	Niche Cost (see note 3)
TRAVIS COUNTY								
Assumption (Catholic) / Catholic Cemetery Assoc. of Austin 3650 S. IH-35 just north of Hwy 71 (E. Ben White) Austin	512- 442-4252 Website: N	sunrise to sunset	\$2,400 or \$3,600	\$650	Casket: Yes; Urn: No	\$600 or \$1,200	Urn niches in mausoleum	\$1,050 to \$1,450
Austin Memorial Park / City of Austin 2800 Hancock Drive Austin	512- 453-2320 Website: Y	8 am - 6 pm	\$2,800; \$1,000 if City selects plot	\$1,250	Casket: Yes; Urn: No	\$975	No	N/A
Cook-Walden Capital Parks / Service Corp. International 14501 N. IH-35 Pflugerville	512- 251-4118 Website: Y	8 am - 5 pm	\$5,295 to \$13,595	\$1,595	Yes	\$5,295 to \$13,595	Yes	\$1,895 to \$7,295
Cook-Walden Forest Oaks / Service Corp. International 6300 W. William Cannon Austin	512- 892-1172 Website: Y	8 am - sunset	\$5,995 to \$6,895	\$1,595	Yes	\$5,995 to \$6,895	Yes	\$2,095 to \$5,495
Cook-Walden Memorial Hill / Service Corp. International N. IH-35, ½ mi. south of Capital Parks Cemetery, Pflugerville	512- 251-4118 Website: Y	8 am - 5 pm	\$2,995 to \$4,495	\$1,595	Yes	\$2,995 to \$4,495	No	N/A
Evergreen / City of Austin 3304 East 12 th St at Airport Blvd. Austin	512- 453-2320 Website: Y	8 am - 6 pm	\$1,975	\$1,250	Casket: Yes; Urn: No	\$975	No	N/A
Onion Creek Memorial Park / privately owned 11610 Chapel Lane, (near Village of San Leanna) Austin Sales Office: 818 W. FM 1626, Manchaca	512- 282-3893 Website: Y	24 hours	\$2,587.50 to \$2,978.50; \$2,173.50 if staff selects plot	\$1,125	Casket: Yes; Urn: No	\$805	Urn niches in mausoleum	\$1,895
Remembrance Gardens / Riverbend Church / open to all Only for cremated remains 4214 Capital of Texas Highway North Austin	512- 329-6007 Website: Y	7 am - 6 pm (7 pm in summer)	N/A	N/A	Urn: No	\$5,100– 10,200 (see note 4)	Yes, wall niches	\$8,160 to \$15,300; only memorial plaque: \$750
Resurrection Garden / Triumphant Love Lutheran Church / open to all Only for cremated remains 9508 Great Hills Trail Austin	512- 346-5683 Website: Y	approx. 8 am - 10 pm	N/A	N/A	N/A	N/A	Yes	\$2,000; only memorial plaque: \$500 or \$1,500

- Notes:**
- (1) Plot cost includes fee for Perpetual Care or grounds maintenance and care if this fee is included in or added to the cost of a plot.
 - (2) Cost to open and close urn plots may be less. Opening/closing costs are typically higher M-F in late afternoon and significantly higher on weekends and holidays.
 - (3) Niche cost may or may not include charges for a plaque and for opening & closing the niche. **Be sure to inquire.**
 - (4) Remembrance Gardens has assigned a Fair Market Value of \$1,000 to most urn plots. The rest of the cost is a tax-deductible charitable contribution to Riverbend Church.

Veterans and Spouses of Veterans: Please see information about **Veteran Cemeteries and Burial Benefits** on the other side of this page.

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BASTROP COUNTY								
Eloise Woods Community Natural Burial Park (“green” burials only) / privately owned 115 Northside Lane (off Pearce Lane) Cedar Creek	512-796-5240 Website: Y	sunrise to sunset	\$2,250 (biodegradable materials only)	\$585 (Family may dig plot themselves.)	Not permitted	\$125 (biodegradable materials only)	No	N/A
Fairview Cemetery / City of Bastrop 1409 HWY 95 N (Chestnut St.) Bastrop	512-332-8820 Website: Y	sunrise to sunset	\$1,000 - \$1,500, depending on residency	O/C arranged by funeral home	No (see note 4)	\$1,000 - \$1,500	No	N/A
CALDWELL COUNTY								
Lockhart Municipal Burial Park / City of Lockhart 600 N. Colorado St. Lockhart	512-398-6452 Website: Y	6 am to sunset	\$500 - \$1,200, depending on residency	O/C arranged by funeral home (Family may dig urn plot themselves.)	Casket: Yes; Urn: No	\$500 - \$1,200	No	N/A
Memory Lawn Memorial Park / Pennington Funeral Home 19106 Highway 80 near FM 1984 San Marcos	512-357-6643 Website: Y	8 am to sunset	\$1,695 to \$2,095	\$900	Yes	\$1,695 to \$2,095	Yes	\$2,600
HAYS COUNTY								
San Marcos City Cemetery / City of San Marcos 1001 RR 12 San Marcos	512-393-8408 Website: Y	8 am – 6 pm (7 pm in summer)	\$1,450 - \$2,550, depending on residency	O/C arranged by funeral home	Casket: Yes; Urn: No	\$1,450 - \$2,550	Yes	\$550
WILLIAMSON COUNTY								
Our Lady of the Rosary Cemetery & Prayer Gardens / privately owned Catholic / Ecumenical, open to all. 330 Berry Lane Georgetown	512-863-8411 Website: Y	sunrise to sunset	\$2,800 - \$3,300; \$5,000 in “green” section	O/C arranged by funeral home	No	\$1,700 (with granite marker) to \$6,900 (with pillar monument)	No	N/A
Taylor City Cemetery / City of Taylor 1101 East 4 th St. Taylor	512-352-3531 Website: Y	24 hours	\$700 (residents and non-residents)	\$600	No	\$350	No	N/A

A sampling of other cemeteries in WILLIAMSON COUNTY:

- Cedar Park: **Cedar Park Cemetery**, 117 S. Bell Blvd. at W. Park St.; 512-259-1610 (Beck Funeral Home). Cemetery has a columbarium.
- Georgetown: **IOOF Cemetery**, 701 Smith Creek Rd.; 512-930-3595 (Georgetown Parks & Recreation Dept.); <https://georgetown.org/2010/02/10/ioof-cemetery/>
- Hutto: **Hutto Lutheran Cemetery** (open to all), At west end of CR 135, a short distance past Hutto City Cemetery; 512-759-2064 (Hutto Lutheran Church)
- Leander: **Bagdad Cemetery**, FM 2243 at CR 279 (N. Bagdad Rd.); 512-259-4855 (Bagdad Cemetery Association), alternate: 512-259-1225
- Liberty Hill: **Liberty Hill Cemetery**, 16101 State Hwy 29 W; 512-778-6792 (Liberty Hill Cemetery Association), alternate: 512-775-7654; <http://libertyhillcemetery.com/>
- Round Rock: **Palm Valley Lutheran Cemetery** (open to all), 2500 Palm Valley Blvd.; 512-255-3322 (Palm Valley Lutheran Church); http://www.palmvalleylutheranchurch.org/purchase_site

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 - (4) Grave liner required for lower casket if two caskets are vertically interred in the same plot.

Veterans and Spouses of Veterans:

Complete information about burial benefits for veterans, scheduling, and more at www.cem.va.gov, or call 1-800-827-1000.

List of **National Veterans Cemeteries in Texas** at www.cem.va.gov/cem/cems/state.asp?State=TX&dnum=ALL

National Cemeteries nearest to Austin: (1) Fort Sam Houston National Cemetery in **San Antonio**, and (2) San Antonio National Cemetery (spaces for cremated remains only). For information about these two cemeteries, call (210) 820-3891.

List of **State Veterans Cemeteries in Texas** at www.glo.texas.gov/vlb/cemeteries/index.html

Call 1-800-252-8387 for information about any State Veterans Cemetery.

For information about the Central Texas State Veterans Cemetery in **Killeen**, call 254-616-1770.

FACT: Burial on private property in an incorporated city, town, or village is subject to that entity’s zoning regulations or other related ordinances. Burial outside a municipality is generally unregulated. Burial on private property creates an encumbrance on the land if it is ever sold. Info’ from Texas Cemetery Association at www.txca.us/Resources/documents/establishing%20a%20family%20cemetery.pdf.

FACT: In Texas, you have the option to transport your deceased family member’s body. Doing this requires careful planning and completion of required authorization forms.



Recommendation for Action

File #: 18-3769, **Agenda Item #:** 26.

11/15/2018

Agenda Item

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COUNCIL MEMBER ALTER'S OFFICE

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File #: 18-3784, Agenda Item #: 30.

11/15/2018

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Recommendation for Action

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11/15/2018

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Amendment No.1
to
Contract No. NA130000146
for
Interment & Burial Services
between
Interment Services, Inc. and the
City of Austin

1.0 The City hereby amends Section 4.1 Term of the Contract to read as follows:

The Contract shall be in effect for an initial term of 60 months beginning August 1, 2013, through July 31, 2018, and may be extended thereafter for up to two (2) additional 50-month periods, subject to the approval of the Contractor and the City Council.

2.0 MBE/WBE goals were not established for this contract.

3.0 By signing this Amendment the Contractor certifies that the Contractor and its principals are not currently suspended or debarred from doing business with the Federal Government, as indicated by the General Services Administration (GSA) List of Parties Excluded from Federal Procurement and Non-Procurement Programs, the State of Texas, or the City of Austin.

4.0 All other terms and conditions remain the same.

BY THE SIGNATURES affixed below, this Amendment is hereby incorporated into and made a part of the above-referenced contract.

Gene Bagwell 8/5/13

RESIDENT / OWNER
Signature & Date:

Gene Bagwell

Printed Name:
Authorized Representative

Interment Services, Inc.
Mr. Gene Bagwell, Contract Manager
625 Pioneer Trail
San Marcos, Texas 78666
bagwellg@austin.rr.com

Signature & Date:

Denise Lucas 8/6/2013

Denise Lucas, Deputy Purchasing Officer
City of Austin
Purchasing Office



Amendment No. 2
To
Contract No. NA130000146
For
Interment & Burial Services
Between
Interment Services, Inc.
And The
City of Austin

1.0 The City hereby exercises the hold over provision of the above referenced contract for a period of 120 days in accordance with the hold over language in the "Term of Contract" provision which reads as follows;

"Upon the expiration of the initial term or period of extension, the Contractor agrees to hold over under the terms and conditions of this Contract for such a period of time as is reasonably necessary to re-solicit and/or complete the project (not to exceed 120 calendar days unless mutually agreed on in writing)."

2.0 The total Contract amount is hereby administratively increased by \$59,000.00. The total Contract authorization is recapped below:

Action	Action Amount	Total Contract Amount
Initial Term: 08/01/13 – 09/30/18	\$3,875,000.00	\$3,875,000.00
Amendment No. Clarify Term: 08/01/13 – 07/31/18	\$0.00	\$3,875,000.00
Amendment No. 2: Holdover and Administrative Increase 07/31/18	\$59,000.00	\$3,934,000.00

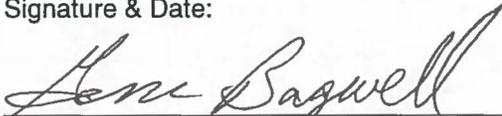
3.0 MBE/WBE goals do not apply to this contract.

4.0 By signing this Amendment the Contractor certifies that the vendor and its principals are not currently suspended or debarred from doing business with the Federal Government, as indicated by the GSA List of Parties Excluded from Federal Procurement and Non-Procurement Programs, the State of Texas, or the City of Austin.

5.0 ALL OTHER TERMS AND CONDITIONS REMAIN THE SAME.

BY THE SIGNATURE(S) affixed below, this Amendment is hereby incorporated and made a part of the above-referenced contract.

Signature & Date:



Printed Name: Gene Bagwell
Authorized Representative

Interment Services, Inc.

Signature & Date:

 7-24-18

Printed Name: Matthew Duen

Title: Procurement Supervisor
City of Austin Purchasing Office



Amendment No. 3
To
Contract No. NA130000146
For
Interment & Burial Services
Between
Interment Services, Inc.
And The
City of Austin

1.0 The City hereby exercises the extension option for the above-referenced Contract. Effective November 29, 2018, the term for the extension option will be November 29, 2018 to November 28, 2021. The City reserves the right to extend the Contract for the remaining two years of the original five-year extension option.

2.0 Effective November 29, 2018, through the Contract expiration or termination, the Contract is hereby amended as follows.

2.1 Paragraph 4.5 of the Contract is replaced in its entirety with the following:

4.5 **Termination Without Cause.** The City shall have the right to terminate the Contract, in whole or in part without cause any time prior to November 28, 2021 with 365 calendar days prior written notice to the Contractor. The Contractor shall have the right to terminate the Contract, in whole or in part without cause any time with 30 calendar days prior written notice to the City. Upon receipt of a notice of termination from the City, the Contractor shall promptly cease all further work pursuant to the Contract, with such exceptions, if any, specified in the notice of termination. The City shall pay the Contractor, to the extent of funds Appropriated or otherwise legally available for such purposes, for all goods delivered and services performed and material and supply obligations incurred prior to the date of termination for the sole purpose of this Contract and as negotiated between the Contractor and the City.

2.2 Paragraph 2.2.9 of the Contract is replaced in its entirety with the following:

2.2.9 **Equipment.** Contractor shall acquire and own all equipment and portable structures necessary for the performance of work under this Contract SOW. Contractor shall be responsible for the maintenance, cleaning, and replacement of equipment. The City grants the Contractor the right to store equipment necessary for the performance of its contract obligations on City cemetery property as approved by the Cemetery Manager. Storage shall not exceed the space authorized by the City. Contractor and Contractor's employees shall park privately owned vehicles in designated parking places as determined by the City. The City is not responsible for any damage or loss to Contractor's equipment, tools and supplies stored or staged on City premises.

2.3 Paragraph 2.2.8 is replaced in its entirety with the following:

2.2.8 **Monument Setting.** The Contractor shall provide monument setting services for monuments temporarily moved for adjacent interment/disinterment services provided by the Contractor. Any adjacent monuments temporarily moved to facilitate an interment must be replaced within 24 hours after the burial. If unforeseen circumstances require more time, the Contractor shall provide to the City's Contract Manager for approval, a plan and time frame for replacement.

2.4 The following Paragraph 2.1.1 is added to the Contract.

2.1.1 To the full extent allowed by law, the Contractor has the exclusive right to perform all burials and interments at City-owned cemeteries for the extension period beginning on November 29, 2018 and ending on November 28, 2021, or upon termination earlier than November 28, 2021.

2.5 Paragraph 7.23.7 is replaced in its entirety with the following:

7.23.7 Contractor shall submit employee certifications annually with the respective invoice to verify that employees are paid the Living Wage throughout the term of the Contract.

3.0 The Contract's Exhibit B – Fee Schedule is hereby replaced in its entirety with the attached "Exhibit B – Fee Schedule effective November 29, 2018". The prices represented in the updated Exhibit B shall remain firm for the three-year extension period.

4.0 The total Contract amount is increased by \$2,843,500.00 for the extension option period. The total Contract authorization is recapped below:

Action	Action Amount	Total Contract Amount
Initial Term: 08/01/13 – 09/30/18	\$3,875,000.00	\$3,875,000.00
Amendment No. 1 Clarify Term: 08/01/13 – 07/31/18	\$0.00	\$3,875,000.00
Amendment No. 2 Holdover 08/01/18 – 11/28/18	\$59,000.00	\$3,934,000.00
Amendment No. 3: Option 1 and Adjust Pricing/Scope 11/29/18 – 11/28/21	\$2,790,000.00	\$6,724,000.00

5.0 By signing this Amendment, the Contractor certifies that the vendor and its principals are not currently suspended or debarred from doing business with the Federal Government, as indicated by the GSA List of Parties Excluded from Federal Procurement and Non-Procurement Programs, the State of Texas, or the City of Austin.

6.0 ALL OTHER TERMS AND CONDITIONS REMAIN THE SAME.

BY THE SIGNATURE(S) affixed below, this Amendment is hereby incorporated and made a part of the above-referenced contract.

Signature & Date:

Signature & Date:

Printed Name: _____
Authorized Representative

Printed Name: _____

Interment Services, Inc.

Title: _____
City of Austin Purchasing Office



CITY OF AUSTIN

MA 8600 NA130000146

Exhibit B - Fee Schedule - Effective November 29, 2018

INTERMENTS

Fee

Adult Full Burials

Weekday	\$1,400.00
Saturday	\$1,550.00
Sunday	\$1,850.00
Holidays <i>(add to above fee)</i>	\$1,200.00
<i>(Holiday Fee is assessed on all City of Austin recognized holidays)</i>	

Infants / Cremated Remains

Weekday	\$510.00
Saturday	\$630.00
Sunday	\$1,020.00
Holidays <i>(add to above fee)</i>	\$660.00
<i>(Holiday Fee is assessed on all City of Austin recognized holidays)</i>	

Additional Fees for Interments

Less than 12 working hours notice	\$420.00
Set-Up (with other services provided by Contractor)	\$210.00
Set-Up (no other services provided by Contractor - Weekday)	\$400.00
Set-Up (no other services provided by Contractor - Saturday & Sunday)	\$550.00
Grave Liners including setting (liners provided by Contractor)	\$400.00
Grave Liner setting only (liners not provided by Contractor)	\$75.00

DISINTERMENTS / REINTERMENTS

Adult Disinterment	\$1,400.00
Infant Disinterment	\$395.00
Cremation Disinterment	\$365.00
Adult Disinterment & Reinterment	\$2,800.00
Infant Disinterment & Reinterment	\$450.00
Raising of the Vault <i>(Adult Full Burials Only)</i>	\$300.00

ADDITIONAL SERVICES & ADDITIONAL FEES

Plummer Fee	\$120.00
Oakwood Fee	\$120.00
Oakwood Annex Fee	\$120.00
Evergreen Fee	\$120.00
Haul to AMP from other Cemeteries	\$180.00
Haul to other locations	Line Removed
Fee per mile for haul to location other than AMP (miles in excess of 10 miles)	Line Removed

MONUMENT SETTING

All 2 piece	Line Removed
1 piece > 300 sq. inch	Line Removed
1 piece < 300 sq. inch	Line Removed
Military Markers Tabloid	Line Removed
Military Marker > 300 sq. inch	Line Removed
Military Marker < 300 sq. inch	Line Removed



Recommendation for Action

File #: 18-3770, Agenda Item #: 37-38.

11/15/2018

Agenda Item

Agenda Items #37, #38:

Agenda Item #37: Authorize negotiation and execution of advanced funding agreements with Pressler RRI, LP to establish the Pressler/Paul Street Railroad Quiet Zone Project in an amount not to exceed \$1,611,379; amending the Fiscal Year 2018-2019 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to accept \$1,611,379 from Pressler RRI, LP; and amending the Fiscal Year 2018-2019 Austin Transportation Department Capital Budget (Ordinance No. 20180911-001) to transfer in and appropriate up to \$1,611,379 from the Austin Transportation Department Operating Budget Special Revenue Fund in support of the Pressler/Paul Street Railroad Quiet Zone Project. Related to Item 38.

Agenda Item #38: Authorize negotiation and execution of Public Highway At-Grade Crossing Agreements with the Union Pacific Railroad to establish the Pressler/Paul Street Railroad Quiet Zone Project in an amount not to exceed \$2,087,555. Related to Item 37.

QUESTION: The primary purpose of a train horn is to warn persons and animals of danger from a passing train, especially near grade crossings, in order to prevent accidents. Please provide specifics regarding planned measures to mitigate risks (such as: improved gates that block traffic in all directions, road channelization or medians that prevent cars from driving around gates, converting two-way streets into one-ways or prohibiting cars from crossing the tracks at night, wayside horns which sound at the crossing, not on the trains, limiting noise pollution, as relevant). Please explain what was considered and why a specific measure was chosen.

COUNCIL MEMBER ALTER'S OFFICE

ANSWER (REVISED):

The purpose of railroad train horns is to warn persons or animals who may be in the way of an oncoming train of approaching danger. Establishment of a railroad quiet zone requires implementation of design features that limits the need for the train engineer to sound a warning horn. Establishment of a quiet zone does not eliminate the responsibility of the train engineer to sound the horn anytime a safety threat is observed. Thus, even with a quiet zone, if a person wanders too close to the track, an approaching train engineer is required to sound the horn. A quiet zone does limit the opportunity for people, animals, and cars to intrude into the operating space of the railroad, therefore limiting the likelihood on a routine basis for the trains to sound their horns. The quiet zone does not address other noise generated by the railroad such as Diesel engine noise, mechanical noise, or rail squeal.

Working with the Union Pacific Railroad (UPRR), Austin has successfully established quiet zones throughout the community along the MoPAC UPRR rail line. The subject crossing located at Paul and Pressler streets is the last remaining non-quiet zone in central Austin. The agreement with UPRR authorizes the railroad to develop the design of the proposed quiet zone and in coordination with the City, implement the modifications. The existing unprotected rail crossings at both Pressler and Paul Streets will be brought up to safe quiet zone standards, likely requiring a full quad gate, with the actual design elements to be developed by UPRR in coordination with the City of Austin as part of the proposed funding. Safe at-grade pedestrian crossings of the UPRR track will be included as part of the project.



Recommendation for Action

File #: 18-3771, Agenda Item #: 39.

11/15/2018

Agenda Item

Agenda Item #39: Authorize payment of the City's membership fees for Fiscal Year 2018-2019 to the Greater Austin-San Antonio Corridor Council, which promotes the region's economic development, in an amount not to exceed \$100,000.

QUESTION: Please explain the Economic Development Department's role in the City's participation with the Greater Austin-San Antonio Corridor Council.

COUNCIL MEMBER ALTER'S OFFICE

ANSWER:

The Economic Development Department (EDD) has not participated in the Greater Austin San-Antonio Corridor Council. The Austin Transportation Department will work with EDD to identify opportunities to participate in the future.



Recommendation for Action

File #: 18-3798, **Agenda Item #:** 73.

11/15/2018

Agenda Item

Agenda Item #73: Authorize negotiation and execution of a design build agreement with JE Dunn Construction, for design and construction services for New Fire / EMS Stations project in an amount not to exceed \$12,000,000.

QUESTION: Will the Canyon Creek area Fire/EMS station be co-located with the NW APD Substation on the newly purchased properties on 620?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

Fire and EMS are planning to locate the Canyon Creek station at the City property located on 620. This future station will meet the 'Standard of Coverage' response time goal for arrival in eight (8) minutes or less 90% of the time. Austin Police requested a delay in discussing/evaluating co-location of a North West APD Substation until December 2018.



Recommendation for Action

File #: 18-3805, **Agenda Item #:** AHFC 003

11/15/2018

Agenda Item

Agenda Item AHFC #003: Approve a resolution authorizing the issuance of Austin Housing Finance Corporation Multi-family Housing Revenue Bonds, in an aggregate principal amount up to \$13,000,000; approving related documents, in substantially the form attached to the resolution, to provide financing for the development of the Elysium Grand Apartments located at 3300 Oak Creek Drive; authorizing specific named representatives of the Austin Housing Finance Corporation to execute the documents relating to issuance of the bonds and closing the transaction; and approving related matters.

QUESTION: Is the action initiated via Resolution No. 20180510-051 reflected in this agreement (and other developments' bond issuances?)

MAYOR PRO TEM KATHIE TOVO'S OFFICE

ANSWER:

As this project was awarded Development Assistance funds through the Rental Housing Development Assistance program, this property is required to comply with the tenant protections program as referenced in Resolution No. 20180510-051. The process for incorporating these protections into all bond issuances has been identified and will be initiated for future bond issuances. Staff is preparing a response to submit prior to the timeline set in the Resolution. Further, this will be addressed by staff in early 2019 as part of NHCD's strategy to implement the Housing Blueprint and deploy the 2018 General Obligation Bonds for Affordable Housing.