



September 19, 2019

Questions and Answers Report



Mayor Steve Adler

Mayor Pro Tem Delia Garza, District 2

Council Member Natasha Harper-Madison, District 1

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 Paige Ellis, District 8

Council Member Kathie Tovo, District 9

Council Member Alison Alter, District 10

The City Council Questions and Answers Report was derived from a need to provide City Council Members an opportunity to solicit clarifying information from City Departments as it relates to requests for council action. After a City Council Regular Meeting agenda has been published, Council Members will have the opportunity to ask questions of departments via the City Manager's Agenda Office. This process continues until 5:00 p.m. the Tuesday before the Council meeting. The final report is distributed at noon to City Council the Wednesday before the council meeting.

QUESTIONS FROM COUNCIL

Items #7 and #8: Authorize negotiation and execution of a professional services agreement with the following 11 staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP262: CAS Consulting & Services, Inc.; (MBE/MA), Freese & Nichols, Inc.; CP&Y, Inc., Lockwood, Andrews & Newman, Inc.; Atkins North America, Inc.; Jacobs Engineering Group, Inc.; AECOM Technical Services, Inc.; Dannenbaum Engineering Company - Austin LLC; Pape-Dawson Consulting Engineers, Inc.; dba Pape-Dawson Engineers, Inc.; BGE, Inc./Brown & Gay Engineers, Inc. and K Friese & Associates, Inc., (WBE/FW); for engineering services for the 2019 Large Diameter Water & Wastewater Pipeline Engineering Rotation List in an amount not to exceed \$12,000,000.

Authorize negotiation and execution of professional services agreements with the following 11 staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP263: Doucet & Associates, Inc., Miller Gray, LLC, Weston Solutions, Inc., Cobb, Fendley & Associates, Inc., Vickrey & Associates, Inc. (WBE/FW), MWM DesignGroup, Inc. (WBE/FW), Walker Partners, LLC, Tetra Tech, Inc., Kennedy/Jenks Consultants, Inc., HDR Engineering, Inc., Riley Mountain Engineering, LLC dba Othon-Fowler for engineering services for the 2019 Small Diameter Water & Wastewater Pipeline Engineering Rotation List in an amount not to exceed \$8,400,000.

QUESTION/ANSWER: COUNCIL MEMBER ALTER'S OFFICE

Updated Response

These two items below were postponed via changes and corrections at our last council meeting to the September 19th agenda. Why were the items postponed and were any changes made or are anticipated to be made between the last council meeting and the 19th?

The purpose of postponing these items (Small & Large Diameter Water & Waste Water Pipeline rotation list) from the August 22nd Council meeting to the September 19th meeting was that the Auditor's Office wanted to investigate two anonymous complaints they received regarding the Capital Contracting Office recommendation of 11 rather than 10 firms noted as needed in the Request For Qualifications. The Auditor's Office sent an email to the Mayor and Council regarding the complaint. Capital Contracting Office spoke to the Mayor's staff and we agreed it best for a staff postponement to allow the Auditor's Office time to investigate the complaints.

The reason the Capital Contracting Office included 11 instead of 10 firms as stated in the solicitation is due to the closeness of the scores and Austin Water's workload and their ability to increase contract authorization to allow for the 11 firms. Capital Contracting Office met with the Auditor's Office as part of their investigation. On September 12, 2019, Corrie Stokes, City Auditor, communicated via email to Mayor and Council their investigative finding as noted below:

The Auditor's Office did not identify any violations of City Code in the vendor selection process. However, they identified deviations from best practice that could increase the risk of litigation related to our MBE/WBE ordinance. More specifically, we learned that Austin Water and Capital Contracting selected 11 rather than 10 firms for a rotation list. Multiple reasons were cited for adding the 11th firm, including the funding available, the closeness of the scores, and the 11th firm was a women-owned business. This third reason is discouraged because MBE/WBE should not be used as a justification for prioritization in prime contracting decisions, according to both the Purchasing Office and the Law Department.

Item #24: Discuss and potentially take action regarding an ordinance creating the Rainey Street District Special Revenue Fund funded with right-of-way fees, alley vacation sales payments, and license agreement fees for developments within the Rainey Street Historic District and Subdistrict for Improvements within the Rainey Street Historic District and Subdistrict.

QUESTION/ANSWER: COUNCIL MEMBER TOVO'S OFFICE

Please describe any restrictions regarding the expenditure of

1) right-of-way fees,

2) alley vacation sales, and

3) license agreements for development projects.

ROW fees are broadly categorized as rental/usage fees and cost of service fees.

The usage fees typically depend on the size of the affected area, the duration, and the type of area affected (e.g. travel lane, parking lane, sidewalk). The larger the area and longer the duration, the higher the usage fee. These are classified in the fee schedule under 'Barricade Permits' and are based on a square footage rate per day, broken into durations of 0-180 days, 181-365 days, 366-546 days, and more than 547 days, with a higher square foot per day cost for each duration 'bucket.'

Cost of service fees such as the permit application fee are based on actual cost of service for staff to review, process, and issue permits. These aren't calculated in the same manner as usage fees, but are charged as an exact amount as listed in the fee schedule.

Most of the fees are in the nature of rental of public property. Those fees can be used for any lawful city public purpose for which the general fund is used.

Some of the fees within the "right of way" fee category are for the actual services provided by the City for review of permits and such. Those fees need to be used to cover the cost of service.

Attached is a spreadsheet with additional information for the fees identified in the Rainey District analysis.

QUESTION/ANSWER: COUNCIL MEMBER ALTER'S OFFICE

What is staff's recommendation? Do staff have any additional or changed perspective since their memo on June 14th?

Discussed at the August 20, 2019 Work Session.

VERBAL DIRECTION FROM DAIS WHEN ITEM WAS POSTPONED ON JUNE 20, 2019

Can staff come back and tell us exactly all the projects in that area and how much funding from each of those projects was generated?

See attachment.

Item #20: Approve a resolution authorizing award, negotiation, and execution of historic preservation fund service contracts for Fiscal Year 2019-2020 in an amount not to exceed \$11,880,629 for historic preservation and restoration projects.

QUESTION/ANSWER: COUNCIL MEMBER ALTER'S OFFICE

- 1) *What falls into the first operations project for \$1,666,781. I understand this is operational money but what is this funding?*

Temporary staffing, four FTEs and general maintenance at the following historic sites: <ul style="list-style-type: none">• Old Bakery and Emporium• O. Henry Museum• Dickenson Museum• Elisabet Ney Museum• Oakwood Chapel Visitors Center• Montopolis Negro School	Parks and Recreation Department	\$1,511,029
Personnel costs in Heritage Tourism Division	Economic Development Department	\$155,752

- 2) *What is a Wayfinding Design Strategic Plan / Project and why does that cost \$250K? Does that include the project?*

The proposed funding is for templated wayfinding designs for place based initiatives to augment the existing Wayfinding Master Plan to support requests highlighting cultural diversity, history and heritage. Implementation is anticipated around the Six Square District.

- 3) *What is the \$80,553 on page 4 for programmatic adjustments being spent on?*

Programmatic adjustments is a contingency amount set aside for construction-related budgetary adjustments and / or preservation architecture assessment fees. Unutilized adjustments will roll into the next Heritage Grant cycle in the spring.

Item #25: Approve negotiation and execution of an automatic aid agreement with Travis County Emergency Service Districts (ESDs), Williamson County ESDs, and the cities of Leander, Cedar Park, Round Rock, and Georgetown to provide services that are mutually beneficial to the fire service agencies and residents in their respective jurisdictions, for an initial term of one year with up to nine additional one-year terms.

QUESTION/ANSWER: COUNCIL MEMBER ALTER'S OFFICE

- 1) *Under the new agreement: if AFD is first on the scene to a call, what procedures will they follow?*
- 2) *Please identify key areas where SOPs differ in proposed agreement as compared to SOPs under the existing auto aid agreement.*
- 3) *In the backup material distributed to council offices by AFD (dated Aug 16), AFD indicated that there are characteristics and circumstances that differentiate jurisdictions and impact which SOP is best. A clear example was provided at the bottom of page 2 on AFD's document. Please provide additional examples of conditions that vary by jurisdiction and how those variations might influence the best incident action plan or SOP implementation.*
- 4) *How exactly do the Williamson County agencies' common operating guidelines differ from AFD's A101?*
- 5) *Page three of AFD's provided document indicates that existing policy allows for optional cross-jurisdictional response by BCs. How often has this practice been implemented in the last several years?*
- 6) *Which jurisdictions do not adopt A101?*

This item is being postponed indefinitely by staff.

Item #40: Approve a resolution authorizing the acceptance of grant funding in the amount of \$132,153 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department program titled Project Safe Neighborhoods.

QUESTION/ANSWER: COUNCIL MEMBER HARPER-MADISON'S OFFICE

Will funds for PSN be injected into efforts for Operation Blue Wave? Is Operation Blue Wave working in collaboration with PSN funding?

Project Safe Neighborhood (PSN) funds will not be used to support Operation Blue Wave (OBW). As all APD officers will participate in OBW and other community policing initiatives, their experiences will inform their work in operations like PSN.

To what extent is the Travis County District Attorney Office and the United States Attorney's Office for the Western District of Texas involved with PSN funds for APD?

PSN operations plans and activities will include input from the Travis County District Attorney Office and the United States Attorney's Office for the Western District of Texas. Prosecution partners will also be asked to contribute to PSN prevention efforts focused on engagement, education and awareness through street-level and social media outreach.

Item #55: Authorize negotiation and execution of various cooperative contracts during the Fiscal

Year 2019-2020 for the purchase of computer, network, and other technology hardware, software, and related maintenance and technology services, in an amount not to exceed \$55,900,000.

QUESTION/ANSWER: COUNCIL MEMBER ELLIS' OFFICE

- 1) *Please provide a table that breaks down the requested \$55,900,000 by planned purchase, department, and amount.*

Please see attached document with detail spending data enclosed for various City departments.

- 2) *What improvements to the AMANDA system are planned or underway for FY 2019-20 to address the deficiencies identified in the August 2019 City Auditor's Permitting Process audit, especially with regards to tracking development review timelines, ensuring consistent data entry of dates among reviewers, and identifying recurrent causes for permitting delays? Please be as specific as possible, including both the problem identified by the audit and the AMANDA improvement planned.*

Development Services Department (DSD) accomplished 324 updates in Fiscal Year 2019 to AMANDA to improve the process including, but not limited to: Fiscal Surety, Site and Subdivision Inspection, Emailing the Certificate of Occupancy, and reporting on number of cycles per review which were all mentioned in the August 19th Audit. The Fiscal Year 2019 spend for AMANDA was around \$1,000,000 and was not part of the FY19 Annual Aggregate DIR Authorization request and is not included in the FY20 authorization requested in Item 55. Currently on the ABC website, clients can track their cycle review timelines. See below:

PERMIT WORK FLOW						
PROCESS	STATUS	TOD	Start Date	Scheduled End Date	End Date	STAFF
Coordinating Reviews	Approved		05/18/18	06/11/18	05/18/18	Residential Support Staff
Residential Zoning Review	Approved		05/18/18	06/07/18	05/18/18	Residential Zoning Reviewers
Tech Master Review	Approved		05/18/18	06/07/18	05/18/18	Residential Technical Reviewers
Historic Review	Approved		05/18/18	06/07/18	05/18/18	Historic Review
Residential Zoning Review	Approved		05/23/18	06/12/18	05/23/18	Residential Zoning Reviewers
Flood Plain Review	Approved		05/18/18	06/07/18	05/18/18	Flood Plain Review
Fire Review	Approved		05/18/18	06/07/18	05/18/18	Fire Reviewers (512-555-1212)
Grading and Drainage	Approved		05/18/18	06/07/18	05/18/18	Grading and Drainage Review
Tree Ordinance Review	Approved		05/23/18	06/12/18	05/23/18	Tree Reviewers (512-974-1876)
Plan Review Administration	Open					
Revisions After Issuance	Approved		05/23/18	06/14/18	05/23/18	Debra Fonseca (512-974-2723)
Revisions After Issuance	Open		10/01/18			Winona Youngblood

- 3) *Are all departments and groups that have a development review responsibility currently using the AMANDA system, or is the City funding multiple software systems for tracking development review?*

City is only funding one system for tracking development review, AMANDA. Ancillary systems are not tied to development review. All groups that have development review responsibility are using AMANDA under DSD folders. There are other folders associated with development review that are not "under DSD's" folders (i.e., Industrial Waste, TAPS folder for Austin Water).

- 4) *What improvements to the AMANDA system are planned or underway for FY 2019-20 to enable user-friendly electronic plan submission and electronic plan review? Is this paperless process still expected to*

be in place before DSD's move into the new Planning and Development Center facility?

An IT solution for Eplan review is expected to be in testing before the move to the Permit Distribution Center. However, as DSD will be engaging with our stakeholders and training of the staff to ensure that DSD has an Eplan process that meets our customer needs, DSD does not expect to be completely electronic by the move date. CTM does not use the Annual Aggregate DIR Authorization, like that requested in Item 55, to hire IT staff augmentation for the developing and maintenance of AMANDA.

- 5) *Given the recent changes to the subdivision permitting process, as well as the upcoming comprehensive revisions to the Land Development Code and associated development review process changes, what improvements are planned or underway for FY 2019-20 to ensure the AMANDA system supports the timely implementation of these policy and process changes? Please be as specific as possible.*

House Bill 3167 was adopted by council on August 22nd and DSD had the changes supporting the bill in production on August 29th. Once the new land development code is adopted by council in the December timeframe, DSD will analyze the changes needed in AMANDA and give council a timeline for their implementation.

- 6) *Was the purchase of City-wide electronic timekeeping software considered for this annual aggregated authorization request? If not, please explain why*

The Citywide electronic timekeeping software is not part of the annual aggregated authorization request. It is a free standing contract that was approved by Council September 28, 2017.

Item #64: Authorize negotiation and execution of a contract with Police Executive Research Forum D/B/A PERF, to provide a comprehensive evaluation of reported sexual assaults, in an amount not to exceed \$1,000,000.

QUESTION/ANSWER: COUNCIL MEMBER ALTER'S OFFICE

- 1) *In place of focus group interviews for detectives in the SCU, is it possible for the project team to conduct one on one interviews?*

The City Manager will work with the Consultant to make sure interviewees will have the opportunity to provide feedback in any format they feel comfortable.

- 2) *Will there be mechanisms by which Council and commissions can request interim updates on the project? What would be the process for requesting and receiving presentations at various points throughout the life of the project?*

The Chair or staff liaison of the any commission can make the request for a presentation to Rey Arellano, Assistant City Manager.

- 3) *What steps will the project team take to ensure that the diversity of the community is reflected in the makeup of the team conducting the evaluation and interviews?*

In our work, we [Police Executive Research Forum (PERF)] understand the importance of incorporating diverse perspectives to ensure that our findings and recommendations address the variety of experiences that different communities have in interacting with police. We do so by engaging members of the community and by working with a diverse range of consultants.

Our team will be composed of staff from PERF, the Women's Law Project (WLP), and the Wellesley Centers for Women (WCW), and will be supplemented by consultants that will reflect gender and racial/ethnic diversity. The additional consultants will be incorporated to ensure a diverse and well-rounded project team.

- 4) *We understand that the project team will be making interim recommendations to APD for immediate consideration and implementation. What is the process for ensuring that Council also receives these recommendations as they are issued?*

The City Manager's Office and the Consultant will be engaging in twice monthly conference calls to coordinate project logistics and receive preliminary updates as appropriate. The City Manager can provide the City Council regular, six-month update memos. The project timeline can also include a mid-point Council briefing by the Consultant, tentatively scheduled for August 2020, to provide an update on the project and identify any recommendations the Consultant can provide at that point.

- 5) *What are the roles and responsibilities of each of the organizations that comprise the project team? How will they work together?*

PERF will serve as the lead organization for this project under the direction of Tom Wilson, PERF's Director of the Center for Applied Research and Management. Wilson will provide oversight on the project and ensure the timely completion of deliverables. WLP, under the direction of Executive Director Carol Tracy, and WCW, under the direction of Senior Research Scientist Linda Williams, will both have substantial roles throughout the project and will be involved in the completion of all deliverables. PERF will rely heavily upon WLP and WCW during the case review, policy and procedures review, and the interviews, particularly the victim interviews.

Representatives from all three entities will participate in site visits to Austin as a team to ensure coordination on project tasks, and will maintain frequent communication via email and telephone throughout the course of the project. PERF has worked extensively and successfully with WLP and WCW on previous projects.

- 6) *What elements of the Philadelphia Model will be incorporated into the Austin evaluation, especially with respect to community engagement?*

The project team is open to all models and best practices in making recommendations to the Austin Police Department. Information learned through the assessment process will help the project team in understanding which models may be most appropriate. For example, the team may recommend that in the future, APD adopt an advocate review process similar to the Philadelphia Model.

In addition, the team's review of sexual assault cases in Austin will be influenced by the case review process used in the Philadelphia Model. For example, in developing metrics for assessment during the case review, the team will utilize many of the same metrics utilized in the Philadelphia review.

The Philadelphia Model does not involve direct community engagement beyond the involvement of local advocacy organizations. However, the project team recognizes that community engagement will be an important component of the Austin evaluation. This may include community focus groups and/or setting up a mechanism to solicit public feedback, such

as a dedicated email address. In addition, the team plans to engage with community advocacy organizations to gain an understanding of the key issues in Austin, and to solicit their input on identifying survivors to participate in interviews.

7) *What experience/expertise does the project team have with respect to examining different intersections within the criminal justice system, such as racial bias and policing?*

The project team has extensive experience working on a variety of issues within policing. PERF has a wide-ranging history of addressing social issues that are not within the traditional scope of policing. For example, on issues such as homelessness, the opioid epidemic, the limited role of local police in immigration enforcement, and mental illness, many of PERF's member police chiefs have taken on leadership roles in their communities. Police executives do not necessarily seek out these roles, but because police departments must respond 24/7 to calls for service, they tend to be on the leading edge of social problems that manifest themselves on the streets of American communities. And PERF has a long history of focusing on racial issues in policing and building community trust.

In her time as PERF's Director of Research, Dr. Lorie Fridell co-authored the report, *Racially Biased Policing: A Principled Response*. PERF continues to work closely with Dr. Fridell in her current work as the Chief Executive Officer and Executive-Level Instructor of Fair and Impartial Policing, which provides implicit-bias awareness training to law enforcement agencies across the country.

Following is a sampling of PERF projects and reports over the last few years on a variety of social issues:

- Community Policing in Immigrant Communities: Stories of Success (2019)
- Managing Mental Illness in Jails: Sheriffs Are Finding Promising New Approaches (2018)
- An Inclusive Approach to School Safety: Collaborative Efforts to Combat the School-to-Prison Pipeline in Denver (2018)
- The Police Response to Homelessness (2018)
- The Unprecedented Opioid Epidemic: As Overdoses Become a Leading Cause of Death, Police, Sheriffs, and Health Agencies Must Step Up Their Response (2017)
- Refugee Outreach and Engagement Programs for Police Agencies (2017)
- Building Interdisciplinary Partnerships to Prevent Violent Extremism (2017)
- Advice from Police Chiefs and Community Leaders on Building Trust (2016)
- Legitimacy and Procedural Justice: A New Element of Police Leadership (2014)

WLP currently works with PERF on a project funded by the Department of Justice's Office on Violence Against Women to assist police agencies in identifying and preventing gender bias in the police response to sexual assault and domestic violence. This work addresses the intersections of gender and sexual orientation with policing. WLP's work also involves high-impact litigation, advocacy, and education on issues that impact women's legal status, health, and economic security.

Dr. Linda Williams of WCW, in addition to her significant research on violence against women, has looked at the intersection of gender and policing. Specifically, she has examined the impact of having more female officers in the department on the police response to sexual assault. In the resulting paper, "Active representation and police response to sexual assault complaints,"

Williams and her co-authors found that having more females in a department does not have a significant impact on the department's sexual assault response. The authors suggest that an inhospitable environment for female officers and a limited ability to impact organizational actions may explain the lack of impact.

8) *Will the interview team include native speakers for any languages other than English?*

The project team has discussed with the City Manager's Office the possibility of using the City's contracted interpreters or possibly working with third-party interpreters as needed.

Item #83: Approve a resolution directing the City Manager to review railroad crossings for public safety improvements, report back to Council with findings, and seek opportunities to coordinate improvements as parts of other infrastructure projects and with relevant partners when feasible.

QUESTION/ANSWER: COUNCIL MEMBER FLANNIGAN'S OFFICE

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved.

The overall effort to fulfill the tasks required in this resolution includes: mapping locations of existing railroad crossings, assessing the condition of those crossings, accurately cataloguing the locations of existing crossings and conducting a feasibility analysis of potential improvements, and assessing opportunities for coordination with other infrastructure projects or partnership opportunities. The Austin Transportation Department estimates this work to take between 3-6 months of ATD staff time. This assessment may require support from the Public Works Department.

Staff has already identified crossings belonging to Capital Metro and have provided that information to Capital Metro. Once ATD has completed study of the other crossings and feasibility studies, PWD will require approximately 12 months to perform construction feasibility and coordinate project tasks with UPRR and Real Estate Services. Additionally, this time will be necessary for coordination with ATD area engineers for design of required sidewalk realignment and improvements over the crossing locations. This work will impact PWD's construction schedule of high priority sidewalks as approved in the Sidewalk Master Plan.

Item #84: Approve an ordinance amending City Code Title 3 and City Code Section 2-1-102 relating to: (a) impounded animal regulations - adding definitions, requiring core immunizations, mandating sterilization, addressing fee waivers, requiring notice to rescue organizations and revising reporting requirements; and (b) expanding advisory scope of the Animal Advisory Commission, respectively.

QUESTION/ANSWER: COUNCIL MEMBER FLANNIGAN'S OFFICE

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved.

First, regarding 3-1-27, at least, for the various reports presented, a number of these reports could be generated from the Animal Services database. Currently, Austin Public Health provides information technology support to Animal Services. If an analyst was assigned these tasks as

their primary focus, then any IT programming that needed to be built or modified could be done in three weeks.

Next, regarding 3-1-26 (2) and (3), during the intake process, we will ask presenters or owners who are surrendering animals if they wish to opt out of being notified should their animal be scheduled for euthanasia. This can be captured within the Animal Services database in a note but not a searchable field. Direction will be given to relevant Animal Services staff that, when an animal is scheduled for euthanasia, an additional review of the intake notes must be done to ensure this opt-out option was given to the presenter or the owner who surrendered the animal.

Finally, regarding 3-1-29, Animal Services would need to build a report to determine the number of animals that have been returned to their owner intact. With the Code amendment, these animals will then be added to the Animal Services surgery list for spay/neuter. This will require additional supplies and medication to accommodate this requirement.

Item #88: Approve a resolution directing the City Manager to provide a report on recommending the elimination of limits on the use of CDBG funds for healthy food retail, including full service grocery stores.

QUESTION/ANSWER: COUNCIL MEMBER FLANNIGAN'S OFFICE

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved.

Economic Development Department will work with Neighborhood Housing and Community Development Department to understand collective administrative needs for work associated with the 5 Year Consolidated Plan for CDBG funding.

Item #89: Approve an ordinance renaming Central Williamson Creek Greenbelt Nature Trail to the Tom Donovan Central Williamson Creek Greenbelt Nature Trail and waiving certain provisions of City Code Chapter 14-1 related to the renaming of parkland.

QUESTION/ANSWER: COUNCIL MEMBER FLANNIGAN'S OFFICE

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved.

If City Council approves the resolution to rename the Central Williamson Creek Greenbelt Nature Trail to the Tom Donovan Central Williamson Creek Greenbelt Nature Trail, it is estimated that the total cost would be approximately \$1,100 for the development, manufacturing and installation of the new sign for the sanctuary. The cost estimate includes City staff time.

Item #90: Approve a resolution to initiate a rezoning of a parcel of land with the Property ID Number 775980, located at 10140 Old San Antonio Road, and known as the Matthew Brown Homestead.

QUESTION/ANSWER: COUNCIL MEMBER FLANNIGAN'S OFFICE

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved.

The total rezoning application fee for this 3.354 acre property is \$8,699.60

The amount of time staff needs to process this case is presumed to be included in the cost of the application fee.

Item #92: Approve a resolution recognizing the historic connection between the City of Paestum and the City of Austin and extending Austin's strong support for Paestum's efforts to bring the heroic soldiers of Texas' 36th Division the overdue acclaim they deserve.

QUESTION/ANSWER: COUNCIL MEMBER FLANNIGAN'S OFFICE

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved.

This item will have no effect on City resources.

Item #103 and Item #104: Land Development Standards agreement with school districts.

QUESTION/ANSWER: COUNCIL MEMBER ELLIS' OFFICE

What, if any, provisions of these land development standards support the City's adopted 50/50 Transportation Mode Share goal and leverage the City's investment in Safe Routes to Schools infrastructure (i.e. by requiring or encouraging the construction of school facilities in a manner that supports safe and convenient walking and biking to school)?

The current agreements are based on the Land Development Code and Criteria from the 1990's and do not reflect the City's recent emphasis and direction regarding mobility. The emphasis on mode share identified with the ASMP, safe routes to school, and other transportation initiatives are being codified as part of the Land Development Code rewrite. Staff has recommended a 2 year extension of the agreements to provide time for the code and criteria adoption and renegotiation of the agreements utilizing the updated code and criteria.

Austin Independent School District (AISD) requested a 5 year extension in order to complete their 2017 Bond program. City Council resolution 20180510-049 provides staff direction to help support the 2017 Bond projects; therefore staff recommends the 5 year extension for the AISD development agreement.

Item #104: Conduct a public hearing to consider an ordinance authorizing an amendment to the individual Land Development Standards agreements with Eanes, Round Rock, Del Valle, Pflugerville, and Leander Independent School Districts extending the expiration of the agreements by a period of two years.

QUESTION/ANSWER: COUNCIL MEMBER FLANNIGAN'S OFFICE

Why are the extensions for these school districts shorter than the one for AISD in item 103?

Extending the Agreements for the school districts in Item 104 two (2) years allows for the Land Development Code rewrite to complete so that new Agreements can be negotiated in reference to new codes.

Extending the Austin ISD Agreement five (5) years allows for Austin ISD to complete their 2017 bond construction program under conditions of the existing Agreement.

Item #105: Conduct a public hearing and consider an ordinance amending ordinance No. 20120628-138 by amending the map indicating areas with additional regulations applying to Mobile Food Establishments to include Colony Park/Lakeside Neighborhood Association, Inc., Harris Branch Master Association, Inc., and North Shoal Creek Neighborhood Planning Area in accordance with Section 25-2-812 of the City Code.

QUESTION/ANSWER: COUNCIL MEMBER ELLIS' OFFICE

In a table, for each of the areas with additional restrictions on mobile food establishments beyond the citywide regulations documented in Section 25-2-812 of the City Code, please provide:

- *Year of the area's vote related to the Mobile Food Establishments Ordinance*
- *Number of votes in favor of the additional restrictions**
- *Number of votes opposed to the additional restrictions**
- *Estimated number of residents of the area (2010 Census is fine)*
- *Percentage of the area's residential population (d) represented by the votes in favor of additional restrictions (b)*

** If the vote results were not documented for a given area, please provide any information available regarding the number of individuals that may have attended the meeting at which the vote was taken.*

This item will be postponed by staff to November, the responses will be provided at that time.

Item #107: Conduct a public hearing related to an application by AMTEX Multi-Housing, LLC, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program, to be known as Spring Villas, located at or near 7430 Bluff Springs Road in the City's extraterritorial jurisdiction; and consider a resolution that relates to the proposed development, the application, and the allocation of housing tax credits and private activity bonds near the proposed development.

QUESTION/ANSWER: COUNCIL MEMBER ELLIS' OFFICE

Please provide as backup the following information for this 4% tax credit item:

- 1) *A map that shows the location of the proposed development relevant to City of Austin jurisdictional boundaries (i.e. full-purpose vs ETJ)*

Attached please find a map showing the site, the adjacent City Council Districts (Full Purpose), and the Extra-Territorial Jurisdiction (ETJ). It is important to note that the site is immediately adjacent to City Council District #2. The portion of the ETJ in which the site is located is completely surrounded by District #2.

- 2) *The developer's application to the City (or an alternative package of location-based information detailing the proposed housing development's transit access, access to healthy food, and floodplain proximity)*

The developer's application (Request for City of Austin Resolutions) can be found on line and was referenced in backup for City Council Agenda Item #107.

http://www.austintexas.gov/sites/default/files/files/SpringVillas_All_4_.pdf

Additionally, staff has mapped the development's transit access, access to healthy food, and floodplain proximity. Please see attached maps for detailed information. Please note the following: (1) the site is not located in the floodplain; (2) the site is located within proximity of a healthy food retail establishment; and (3) the site is located within ¼ mile distance of a high-frequency transit stop.

- 3) *A table of potential tenants' eligibility for key governmental services (such as ACC in-district tuition and Austin Code protection) based on the jurisdictional location of the proposed housing development*

NHCD staff is working with PAZ staff to detail key governmental services available to residents within the ETJ. As soon as that information is available, we will forward to City Council.

Items #113-115 and #119-120: Riverside/Pleasant Valley Rd. Re-zoning

QUESTION/ANSWER: COUNCIL MEMBER ALTER'S OFFICE

- 1) *Does staff have any data on the existing lease turnover rate for the existing multifamily properties on these sites?*

Staff does not have the information to address this question, however, staff has requested that the applicant provide this information if available.

- 2) *Approximately what percentage of residents do not renew their lease annually?*

Staff does not have the information to address this question, however, staff has requested that the applicant provide this information if available.

- 3) *Does staff have information on whether all of these leases, or what percentage of leases, for the existing multifamily properties on these parcels are leases for individual bedrooms vs for the entire unit?*

Staff does not have the information to address this question, however, staff has requested that the applicant provide this information if available.

- 4) *What if any affordability requirements would be in place on these sites were this case denied?*

If the properties are not rezoned, a portion of the rezoning area covered by case C14-2018-0027 (Item 108) will still be eligible for increased height with affordability requirements. The 36.967 portion that has frontage on East Riverside and Crossing Place is the only part of the request that is currently located in the ERC Hub boundary.

We do not have information about the number of units proposed on this tract, but calculations would be made as follows:

- The site is currently entitled to an increase in height from 50 to 65 feet. This would add one story.
- If this story is added, it is considered bonus area. The property would be required to provide 1 square foot of affordable housing for every 4 bonus square feet.
- A minimum of 50% of the bonus area must be earned through the provision of on-site affordable housing.

- 5) *Can staff provide a summary of the value of any financial investments the development will be*

required to make in parkland infrastructure, including trails, in addition to the dedication of parkland? Please provide detail on how that value was calculated. Please provide any available detail on how these funds will be used.

An evaluation of parkland improvements will occur at the time a site plan is submitted.

6) Will any heritage or protected trees be removed for this development? If so please provide details on this. Will the development be required to follow the standard variance process for tree removal?

A tree survey is required as part of the site plan application and if any trees are proposed for removal, they will be identified at that time.

7) What if any enforceable obligation will be codified in these cases to ensure the city receives the value of the estimated parkland investments? Is it accurate that a significant amount of the projections for parkland investments is predicated on the estimate of the amount of residential development that the applicant is proposing and that if the project reduced the amount of residential development the parkland investment would also reduce?

The applicant will be required to dedicate parkland at the time of subdivision, and develop the parkland using the required development fee. Based on assumptions described below, the park development fee will be between \$1.2 and \$1.3 million. The applicant will develop the dedicated parkland using these monies. Parkland development fee are calculated as follows (from §25-1-606):

Step 1: Determine cost of development per person:

Parkland Cost Factor/Facilities Level of Service = Development Cost Per Person

\$788,321.50 neighborhood park cost / 4,418.4 people per developed park = \$178.42 per person

Step 2: Determine cost of development per unit

High Density: 1.7 persons per household * \$178.42 = \$ 303.31 per unit (fee may increase in Oct 2019).

Step 3: Calculate total cost

The applicant provided an estimate of 4,709 total units, and between 400 and 565 affordable units.

Affordable units, which must be certified by NHCD, are subtracted from the calculations.

Low end, based on 4,709 total units, minus 565 affordable units

\$303.31 * 4,144 units = \$1,256,917

High end, based on 4,709 total units, minus 400 affordable units

\$303.31 * 4309 units = \$1,306,963

These monies will be used by the applicant to build the newly dedicated parks. This may include, but not be limited to, trail improvements and connectivity; active recreation such as playgrounds, ball fields, and tennis courts; as well as dog parks, and community gardens. The exact park amenities will be determined by PARD in discussions with the applicant, and an assessment of the needs and preferences of the community.

8) What if any enforceable obligation will be codified in these cases to ensure this project builds a residential component and doesn't use these increased entitlements to build a project that is solely commercial and retail in nature? Are the density bonus options available for projects

that are entirely commercial and retail uses, or do they require a residential component? Please explain what if any constraints the TDM creates to constructing a project on these parcels that is entirely retail or commercial in nature.

If redevelopment on the property proposes taking advantage of the density bonuses then affordable units must be provided onsite or the owner must pay a fee-in-lieu of onsite units. A residential component is not required.

Any redevelopment will be required to comply with the approved Traffic Impact Analysis (TIA), including trip generation, circulation patterns and more. Since most commercial land uses generate more traffic than multifamily land use and has different circulation and timing patterns, the property would not be able to achieve the same square footage of commercial as multifamily use. Substantial changes to the proposed mix of uses could trigger a TIA amendment. Offsite improvements and other TDM features could be modified based on any change to the mix of uses.

9) *Please explain what if any benefits for area water quality controls would be achieved through the approval of these items?*

If they are tearing down what's there and redeveloping the site, they will be required to provide water quality treatment for all new and redeveloped impervious cover at the site plan stage. This is going on the assumption they don't have grandfathering to an ordinance that pre-dates water quality requirements.

10) *Which of the parcels are allowed to have commercial uses today and what are the height and FAR limits for those parcels today? How many residential units are estimated to be on those parcels today?*

	Zoning case #	Current ERC Subdistrict	1 bed	2 bed	3 bed	4 bed	Units	Beds
Town Lake	C14-2018-0028	UR	36	36	36	108	216	648
Ballpark North	C14-2018-0028	UR	78	24	78	102	282	768
Quad West	C14-2018-0026	NMU	24	144	0	120	288	792
Quad East	C14-2018-0027	UR	30	60	60	120	270	810
Quad South	C14-2018-0027	NMU	48	72	36	96	252	684
Totals							1,308	3,702

Permitted Land Uses in ERC Subdistricts			
	UR	NMU	CMU
Residential, attached	Permitted	Permitted	Permitted
Residential, detached	Not Permitted	Not Permitted	Not Permitted
Smaller-scale Retail (less than 50,000 sq ft)	Not Permitted	Permitted	Permitted
General Retail	Not Permitted	Not Permitted	Permitted
Office	Not Permitted	Permitted	Permitted
Warehousing & Light Manufacturing	Not Permitted	Not Permitted	Not Permitted
Education/Religion	Permitted	Permitted	Permitted
Hospitality (hotels/motels)	Not Permitted	Permitted	Permitted
Civic Uses (public)	Permitted	Permitted	Permitted
Development Standards in ERC Subdistricts			
	UR	NMU	CMU
Maximum Building Height *	40 ft	50 feet	60 feet
Maximum FAR*	0.75 to 1	1 to 1	2 to 1
Desired Minimum FAR	60%	60%	60%
Impervious Cover	65%	80%	90%

11) *Has this project been examined by staff involved in Project Connect to determine whether any of our needs in that area can be realized through this project?*

The applicant is paying a transportation mitigation fee in lieu of about \$1.6 million towards Project Connect BRT Light Rapid Transit along Pleasant Valley Road.

QUESTIONS ASKED AT WORK SESSION

If we were to remain consistent with the Land Development Code rewrite adopted direction, what would staff apply with respect to granting increased entitlements on this site, and to what degree?

The current approach to the LDC Revision is that current regulations for certain districts, including regulating plans, would be carried forward “as is”. This property falls within the East Riverside Corridor Regulating Plan, therefore the LDC Revision would keep current regulations in place, or “as is”.

Item #140: Approve a resolution authorizing the City Manager to award, negotiate and execute cultural arts services contracts for Fiscal Year 2019-2020 in an amount not to exceed \$8,654,255, and authorizing payment in the amount of \$60,000 for Zachary Scott Theatre Center maintenance required under a separate operations agreement and authorizing payments of \$25,000 each to Austin Fine Arts Alliance, Capital City Black Film Festival, and Mexic-Arte Museum for marketing through the Austin Convention Center Department's operating budget.

QUESTION/ANSWER: Council Member Alter's office

Why is the cultural arts spending so much less than the historic preservation spend?

The total cultural arts contracts that will be awarded for FY20 is \$12,094,248. The RCA to award, negotiate and execute cultural arts service agreements are only for those contracts over the administrative limit of \$61,000 for a total of \$8,654,255.

Item #146: Approve a resolution directing the City Manager to initiate a process for the redevelopment of the City of Austin's Rutherford Lane Campus in conjunction with the Asian American Resource Center Master Plan.

QUESTION/ANSWER: Council Member Flannigan's office

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved.

The Economic Development Department has estimated the unit cost of repositioning a developable piece of City-owned property for which the City seeks to repositioning through a competitive public-private partnership. Staff time is estimated at 1100 hours and the total cost site planning, market analysis, physical and legal research, appraisal, community engagement and title work is approximately \$140,000. This estimate is inclusive of developing the site concept, crating and issuing the competitive solicitation for a developer and entering into an exclusive negotiation agreement. The estimate excludes legal fees to negotiate the development agreement as this cost is contingent on complexity of the transaction and need for specialized outside legal counsel.

Item #147: Conduct a public hearing and consider an ordinance releasing approximately 841.4 acres of extraterritorial jurisdiction ('ETJ') located at the northwest corner of Giles Lane and Highway 290 East to Travis County.

QUESTION/ANSWER: COUNCIL MEMBER FLANNIGAN'S OFFICE

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved.

There is no application fee for this request and there would be limited staff resources, including staff time required for this resolution.

Item #149: Approve an ordinance amending City Code Section 11-2-7 (Allocation and Use of Hotel Occupancy Tax Revenue) and adding a new City Code Section 11-2-8 (Additional 2 Percent Hotel Occupancy Tax for Convention Center Expansion), to allocate additional funds for local music and historic preservation consistent with Chapter 351 of the Texas Tax Code.

QUESTION/ANSWER: COUNCIL MEMBER FLANNIGAN'S OFFICE

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved.

This ordinance does not, in itself, create additional work for City staff or require additional City resources. This ordinance is changing City Code to align with previous Council action regarding the increase in the HOT assessment related to expansion of the Convention Center.

QUESTION/ANSWER: COUNCIL MEMBER TOVO'S OFFICE

Please identify the dollar amount, percentage, and number of organizations supported through the 15% cultural arts funding that would fall into the category of music for the last 5 years.

The Cultural Arts Funding Program consists of the Core, Community Initiatives, Cultural Heritage Festivals, and Capacity Building funding programs. The Core funding program is comprised of 11 categories of artistic disciplines, of which Music is one. Data on Music contracts going back 5 years is only available for the Core Funding Program. Below is a chart that reflects the total award amount, the percent of total award amount, and the number of contracts in the Music category.

FY	Award Amount	% of Total Awarded Funds	Number of Contracts
15	\$1,582,369	20%	70
16	\$1,887,933	23%	63
17	\$2,231,406	22%	70
18	\$2,432,378	22%	76
19	\$2,490,060	22%	89

Item #150 Approve a resolution to initiate a rezoning of the property located at 8900 Hunters Trace from family residence-neighborhood plan (SF-3-NP) combining district to neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district and amend the Future Land Use Map.

QUESTION/ANSWER: COUNCIL MEMBER FLANNIGAN'S OFFICE

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved.

The total rezoning application fee for this 0.2320 acre property is \$7618.00. The neighborhood plan amendment application fee for this property is \$4739.28.

The amount of time staff needs to process these cases is presumed to be included in the cost of the application fees.



Council Question and Answer

Related To	Items #7 and #8	Meeting Date	September 19, 2019
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Additional Answer Information

Authorize negotiation and execution of a professional services agreement with the following 11 staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP262: CAS Consulting & Services, Inc.; (MBE/MA), Freese & Nichols, Inc.; CP&Y, Inc., Lockwood, Andrews & Newman, Inc.; Atkins North America, Inc.; Jacobs Engineering Group, Inc.; AECOM Technical Services, Inc.; Dannenbaum Engineering Company - Austin LLC; Pape-Dawson Consulting Engineers, Inc.; dba Pape-Dawson Engineers, Inc.; BGE, Inc./Brown & Gay Engineers, Inc. and K Friese & Associates, Inc., (WBE/FW); for engineering services for the 2019 Large Diameter Water & Wastewater Pipeline Engineering Rotation List in an amount not to exceed \$12,000,000.

Authorize negotiation and execution of professional services agreements with the following 11 staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP263: Doucet & Associates, Inc., Miller Gray, LLC, Weston Solutions, Inc., Cobb, Fendley & Associates, Inc., Vickrey & Associates, Inc. (WBE/FW), MWM DesignGroup, Inc. (WBE/FW), Walker Partners, LLC, Tetra Tech, Inc., Kennedy/Jenks Consultants, Inc., HDR Engineering, Inc., Riley Mountain Engineering, LLC dba Othon-Fowler for engineering services for the 2019 Small Diameter Water & Wastewater Pipeline Engineering Rotation List in an amount not to exceed \$8,400,000.

QUESTION/ANSWER: Updated Response Council Member Alter's Office

These two items below were postponed via changes and corrections at our last council meeting to the September 19th agenda. Why were the items postponed and were any changes made or are anticipated to be made between the last council meeting and the 19th?

The purpose of postponing these items (Small & Large Diameter Water & Waste Water Pipeline rotation list) from the August 22nd Council meeting to the September 19th meeting was that the Auditor's Office wanted to investigate two anonymous complaints they received regarding the Capital Contracting Office recommendation of 11 rather than 10 firms noted as needed in the Request For Qualifications. The Auditor's Office sent an email to the Mayor and Council regarding the complaint. Capital Contracting Office spoke to the Mayor's staff and we agreed it best for a staff postponement to allow the Auditor's Office time to investigate the complaints.

The reason the Capital Contracting Office included 11 instead of 10 firms as stated in the solicitation is due to the closeness of the scores and Austin Water's workload and their ability to increase contract authorization to allow for the 11 firms. Capital Contracting Office met with the Auditor's Office as part of their investigation. On September 12, 2019, Corrie Stokes, City Auditor, communicated via email to Mayor and Council their investigative finding as noted below:

The Auditor's Office did not identify any violations of City Code in the vendor selection process. However, they identified deviations from best practice that could increase the risk of litigation related to our MBE/WBE ordinance. More specifically, we learned that Austin Water and Capital Contracting selected 11 rather than 10 firms for a rotation list. Multiple reasons were cited for adding the 11th firm, including the funding available, the closeness of the scores, and the 11th firm was a women-owned business. This third reason is discouraged because MBE/WBE should not be used as a justification for prioritization in prime contracting decisions, according to both the Purchasing Office and the Law Department.



Council Question and Answer

Related To

Item #20

Meeting Date

September 19, 2019

Additional Answer Information

Approve a resolution authorizing award, negotiation, and execution of historic preservation fund service contracts for Fiscal Year 2019-2020 in an amount not to exceed \$11,880,629 for historic preservation and restoration projects.

QUESTION/ANSWER: Council Member Alter's Office

- 1) *What falls into the first operations project for \$1,666,781. I understand this is operational money but what is this funding?*

Temporary staffing, four FTEs and general maintenance at the following historic sites: <ul style="list-style-type: none"> • Old Bakery and Emporium • O. Henry Museum • Dickenson Museum • Elisabet Ney Museum • Oakwood Chapel Visitors Center • Montopolis Negro School 	Parks and Recreation Department	\$1,511,029
Personnel costs in Heritage Tourism Division	Economic Development Department	\$155,752

- 2) *What is a Wayfinding Design Strategic Plan / Project and why does that cost \$250K? Does that include the project?*

The proposed funding is for templated wayfinding designs for place based initiatives to augment the existing Wayfinding Master Plan to support requests highlighting cultural diversity, history and heritage. Implementation is anticipated around the Six Square District.

- 3) *What is the \$80,553 on page 4 for programmatic adjustments being spent on?*

Programmatic adjustments is a contingency amount set aside for construction-related budgetary adjustments and / or preservation architecture assessment fees. Unutilized adjustments will roll into the next Heritage Grant cycle in the spring.



Council Question and Answer

Related To

Item #24

Meeting Date

August 22, 2019

Additional Answer Information

Discuss and potentially take action regarding an ordinance creating the Rainey Street District Special Revenue Fund funded with right-of-way fees, alley vacation sales payments, and license agreement fees for developments within the Rainey Street Historic District and Subdistrict for Improvements within the Rainey Street Historic District and Subdistrict.

QUESTION/ANSWER: Council Member Tovo's Office

Please describe any restrictions regarding the expenditure of

- 1) right-of-way fees,*
- 2) alley vacation sales, and*
- 3) license agreements for development projects.*

ROW fees are broadly categorized as rental/usage fees and cost of service fees.

The usage fees typically depend on the size of the affected area, the duration, and the type of area affected (e.g. travel lane, parking lane, sidewalk). The larger the area and longer the duration, the higher the usage fee. These are classified in the fee schedule under 'Barricade Permits' and are based on a square footage rate per day, broken into durations of 0-180 days, 181-365 days, 366-546 days, and more than 547 days, with a higher square foot per day cost for each duration 'bucket.'

Cost of service fees such as the permit application fee are based on actual cost of service for staff to review, process, and issue permits. These aren't calculated in the same manner as usage fees, but are charged as an exact amount as listed in the fee schedule.

Most of the fees are in the nature of rental of public property. Those fees can be used for any lawful city public purpose for which the general fund is used.

Some of the fees within the "right of way" fee category are for the actual services provided by the City for review of permits and such. Those fees need to be used to cover the cost of service.

Attached is a spreadsheet with additional information for the fees identified in the Rainey District analysis.

QUESTION/ANSWER: Council Member Alter's Office

What is staff's recommendation? Do staff have any additional or changed perspective since their memo on June 14th?

Discussed at the August 20, 2019 Work Session.

**August 22, 2019 Item #24 Rainey Street District Fund
Question re All Fees ToDate**

Fees	Department	Fees Subject to		Grand Total
		Ord. No. 20131024- 010 Ceiling	Fees After Ord. No. 20131024-010	
	Austin			
Right-of-Way	Transportation	\$ 506,775	\$ 1,724,908	\$ 2,231,683
Alley Vacation and License Agreements	Office of Real Estate	\$ 93,225	\$ 54,347	\$ 147,572
		\$ 600,000	\$ 1,779,255	\$ 2,379,255

Austin Transportation (ATD) ROW Fees - Rainey Street Area FY2013 through May 31, 2019

Right-of-Way (ROW) Fee Description	2013	2014	2015	2016	2017	2018	2019	Grand Total
ATD - SCP Annual ROW Rental Fee						707		707
ATD - SCP Network Node Application Fee							500	500
Barricade Inspection Fee					1,500			1,500
Concrete Re-inspection fee - Transportation		5						5
Curb/Gutter Inspection Fee - Transportation		2				32		34
Driveway Inspection Fee - Transportation		8				85		93
Excavation Inspection Fee - Transportation					57	193	63	313
Excavation/Concrete Permit Fee - Transportation	470	990	900	540	720	855	180	4,655
License Agreement 1st Annual Payment			400	600				1,000
License Agreement Processing Fee	1,700	1,375	525	950				4,550
Right-of-Way usage fees	6,453	12,137	47,112	5,829	20,269	5,333	580	97,711
ROW Investigation Fee (Failure to correct Deficiency)			2,000	1,000				3,000
ROW Investigation Fee (Improper Use of Device)			250	250				500
ROW Investigation Fee (Restricting Traffic during Peak Hours)							500	500
ROW Investigation Fee (Violation of permit conditions)			250	250			250	750
Sidewalk Café 1 Annual Payment				1,000			2,000	3,000
Sidewalk Café Processing Fee							100	100
Sidewalk Inspection Fee - Transportation	8	8	15			30		60
TURP Alley		40	1,400			848	11,450	13,738
TURP 1st Traffic Lane	20,843	43,777	2,603	104,144	2,922	6,932	43,694	224,913
TURP 1st Traffic Lane Extension		55,094	19,259	77,280	295,965	51,600		499,198
TURP 2nd Traffic Lane	9,664		3,703	108,000	3,200	7,100	2,011	133,678
TURP 2nd Traffic Lane Extension				69,120	266,760	82,560		418,440
TURP Additional Traffic Lane			4,860		5,400	11,520	756	22,536
TURP Alley Extension			15,450					15,450
TURP Application Fee	1,195	505	540	605	595	1,020	1,005	5,465
TURP Metered Parking Space	23,275	7,590	42,648	-	450	1,854	37,186	113,003
TURP Sidewalk Space Extension	19,680	34,358	183,198	35,950	76,228	180	177	349,770
TURP Sidewalk/Behind Curb Space	4,850	9,490	84	10,688	630	843	6,865	33,451
TURP Unmetered Parking Lane	7,458	6,977	78			192	13	14,717
TURP Unmetered Parking Lane Extension	20,800	31,428	209,114	6,600				267,942
Utility Cut Inspection Fee - Transportation	68	113	45	113	68			405
Total Fees Collected	\$ 116,462	\$ 203,893	\$ 534,433	\$ 422,918	\$ 674,763	\$ 171,885	\$ 107,329	\$ 2,231,683

NOTE: The Total Fees Collected of \$2,231,683 includes \$506,775 in right-of-way fees contributed to the Rainey Street District Fund and if deposits had continued beyond the ceiling set in Ordinance No. 20131024-010, an additional \$1,724,908 from ATD would have been deposited in the Rainey Street District Fund. Amounts are through May 31, 2019 as reported in a memo to Council on **June 14, 2019 MMAC - Resolution No. 20190523-029 Response re: Rainey Street District Fund**.

ROW = Right-of-Way

TURP = Temporary Use of the Right-of-Way

ROW Permit Fee Description	Fee Basis	FY19 Fee	Unit
ATD Small Cell Permit Annual ROW Rental Fee - Rental for small cell use of ATD signal pole	ROW Rental	\$ 250	Per network node per year
ATD Small Cell Application ROW Rental Fee - Rental for small cell use of ATD signal pole	COS	\$ 500	First five nodes
Barricade Inspection Fee	COS	\$0.10 - 0.32	per sq. ft per day
Concrete Re-inspection fee - Transportation	COS - DSD Collects this Fee	\$ 75	
Curb/Gutter Inspection Fee - Transportation	COS - DSD Collects this Fee	\$ 75	
Driveway Inspection Fee - Transportation	COS - DSD Collects this Fee	\$ 75	
Excavation Inspection Fee - Transportation	COS - DSD Collects this Fee	\$ 75	
Excavation/Concrete Permit Fee - Transportation	COS	\$ 225	
License Agreement 1st Annual Payment	ORES	\$ 425	
License Agreement Processing Fee	ORES-COS	\$ 425	
Right-of-Way usage fees	ROW Rental	\$ 200	per year
ROW Investigation Fee (Failure to correct Deficiency)	COS	\$ 500	per occurrence
ROW Investigation Fee (Improper Use of Device)	COS	\$ 250	per occurrence
ROW Investigation Fee (Restricting Traffic during Peak H	COS	\$ 500	per occurrence
ROW Investigation Fee (Violation of permit conditions)	COS	\$ 250	per occurrence
Sidewalk Café 1 Annual Payment	ROW Rental	\$ 2,000	per space per year
Sidewalk Café Processing Fee	COS	\$ 35	per hour per space per day
Sidewalk Inspection Fee - Transportation	COS - DSD Collects this Fee	\$ 200	
Temporary Use of ROW Permit (TURP) - Alley	ROW Rental	\$.10 - \$.22	per sq ft per day
TURP 1st Traffic Lane	ROW Rental	\$.10 - \$.22	per sq ft per day
TURP 1st Traffic Lane Extension	ROW Rental	\$.10 - \$.22	per sq ft per day
TURP 2nd Traffic Lane	ROW Rental	\$0.20-\$0.32	per sq ft per day
TURP 2nd Traffic Lane Extension	ROW Rental	\$0.20-\$0.32	per sq ft per day
TURP Additional Traffic Lane	ROW Rental	\$0.30	per sq ft per day
TURP Alley Extension	ROW Rental	\$.10 - \$.22	per sq ft per day
TURP Application Fee - Long-term	COS	\$ 145	per sq ft per day
TURP Application Fee - Short Term	COS	\$ 45	per sq ft per day
TURP Metered Parking Space	ROW Rental	\$ 2,000	per space per year
TURP Sidewalk Space Extension	ROW Rental	\$.01 - \$.13	per sq ft per day
TURP Sidewalk/Behind Curb Space	ROW Rental	\$.01 - \$.13	per sq ft per day
TURP Unmetered Parking Lane	ROW Rental	\$ 0.02	per sq ft per day
TURP Unmetered Parking Lane Extension	ROW Rental	\$0.02 - \$0.14	per sq ft per day
Utility Cut Inspection Fee - Transportation	COS - DSD Collects this Fee	\$ 325	per cut

VERBAL DIRECTION FROM DAIS WHEN ITEM WAS POSTPONED ON JUNE 20, 2019

Can staff come back and tell us exactly all the projects in that area and how much funding from each of those projects was generated?

See attachment.



Council Question and Answer

Related To	Item #25	Meeting Date	September 19, 2019
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Additional Answer Information

Approve negotiation and execution of an automatic aid agreement with Travis County Emergency Service Districts (ESDs), Williamson County ESDs, and the cities of Leander, Cedar Park, Round Rock, and Georgetown to provide services that are mutually beneficial to the fire service agencies and residents in their respective jurisdictions, for an initial term of one year with up to nine additional one-year terms.

QUESTION/ANSWER: Council Member Alter's Office

- 1) *Under the new agreement: if AFD is first on the scene to a call, what procedures will they follow?*
- 2) *Please identify key areas where SOPs differ in proposed agreement as compared to SOPs under the existing auto aid agreement.*
- 3) *In the backup material distributed to council offices by AFD (dated Aug 16), AFD indicated that there are characteristics and circumstances that differentiate jurisdictions and impact which SOP is best. A clear example was provided at the bottom of page 2 on AFD's document. Please provide additional examples of conditions that vary by jurisdiction and how those variations might influence the best incident action plan or SOP implementation.*
- 4) *How exactly do the Williamson County agencies' common operating guidelines differ from AFD's A101?*
- 5) *Page three of AFD's provided document indicates that existing policy allows for optional cross-jurisdictional response by BCs. How often has this practice been implemented in the last several years?*
- 6) *Which jurisdictions do not adopt A101?*

This item is being postponed indefinitely by staff.



Council Question and Answer

Related To

Item #40

Meeting Date

September 19, 2019

Additional Answer Information

Approve a resolution authorizing the acceptance of grant funding in the amount of \$132,153 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department program titled Project Safe Neighborhoods.

QUESTION/ANSWER: Council Member Harper-Madison's Office

Will funds for PSN be injected into efforts for Operation Blue Wave? Is Operation Blue Wave working in collaboration with PSN funding?

Project Safe Neighborhood (PSN) funds will not be used to support Operation Blue Wave (OBW). As all APD officers will participate in OBW and other community policing initiatives, their experiences will inform their work in operations like PSN.

To what extent is the Travis County District Attorney Office and the United States Attorney's Office for the Western District of Texas involved with PSN funds for APD?

PSN operations plans and activities will include input from the Travis County District Attorney Office and the United States Attorney's Office for the Western District of Texas. Prosecution partners will also be asked to contribute to PSN prevention efforts focused on engagement, education and awareness through street-level and social media outreach.



Council Question and Answer

Related To	Item #55	Meeting Date	September 19, 2019
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Additional Answer Information

Authorize negotiation and execution of various cooperative contracts during the Fiscal Year 2019-2020 for the purchase of computer, network, and other technology hardware, software, and related maintenance and technology services, in an amount not to exceed \$55,900,000.

QUESTION/ANSWER: Council Member Ellis' Office

1) *Please provide a table that breaks down the requested \$55,900,000 by planned purchase, department, and amount.*

Please see attached document with detail spending data enclosed for various City departments.

2) *What improvements to the AMANDA system are planned or underway for FY 2019-20 to address the deficiencies identified in the August 2019 City Auditor's Permitting Process audit, especially with regards to tracking development review timelines, ensuring consistent data entry of dates among reviewers, and identifying recurrent causes for permitting delays? Please be as specific as possible, including both the problem identified by the audit and the AMANDA improvement planned.*

Development Services Department (DSD) accomplished 324 updates in Fiscal Year 2019 to AMANDA to improve the process including, but not limited to: Fiscal Surety, Site and Subdivision Inspection, Emailing the Certificate of Occupancy, and reporting on number of cycles per review which were all mentioned in the August 19th Audit. The Fiscal Year 2019 spend for AMANDA was around \$1,000,000 and was not part of the FY19 Annual Aggregate DIR Authorization request and is not included in the FY20 authorization requested in Item 55. Currently on the ABC website, clients can track their cycle review timelines. See below:

PERMIT WORK FLOW						
PROCESS	STATUS	TOD	Start Date	Scheduled End Date	End Date	STAFF
Coordinating Reviews	Approved		05/18/18	06/11/18	05/18/18	Residential Support Staff
Residential Zoning Review	Approved		05/18/18	06/07/18	05/18/18	Residential Zoning Reviewers
Tech Master Review	Approved		05/18/18	06/07/18	05/18/18	Residential Technical Reviewers
Historic Review	Approved		05/18/18	06/07/18	05/18/18	Historic Review
Residential Zoning Review	Approved		05/23/18	06/12/18	05/23/18	Residential Zoning Reviewers
Flood Plain Review	Approved		05/18/18	06/07/18	05/18/18	Flood Plain Review
Fire Review	Approved		05/18/18	06/07/18	05/18/18	Fire Reviewers (512-555-1212)
Grading and Drainage	Approved		05/18/18	06/07/18	05/18/18	Grading and Drainage Review
Tree Ordinance Review	Approved		05/23/18	06/12/18	05/23/18	Tree Reviewers (512-974-1876)
Plan Review Administration	Open					
Revisions After Issuance	Approved		05/23/18	06/14/18	05/23/18	Debra Fonseca (512-974-2723)
Revisions After Issuance	Open		10/01/18			Winona Youngblood

CITY DEPARTMENT	ANNUAL DIR AUTHORITY BY DEPARTMENT
Austin Code Department	\$235,800
Austin Convention Center	\$2,331,000
Austin Energy	\$18,800,947
Austin Fire Department	\$112,500
Austin Parks and Recreation Department	\$165,600
Austin Police Department	\$450,000
Austin Public Health	\$126,000
Austin Public Library	\$360,000
Austin Resource Recovery	\$3,128
Austin Transportation Department	\$1,984,500
Austin Water	\$3,885,198
Austin/Travis County Emergency Medical Services	\$148,500
Aviation Department	\$2,947,500
Budget Office	\$135,000
Building Services	\$7,200
Capital Contracting	\$54,000
Communications and Technology Management	\$16,377,245
Controller's Office	\$1,466,100
Corridor Program Implementation Office	\$193,500
Development Services Department	\$2,700,000
Director's Office	\$90,000
Economic Development Department	\$54,000
Fleet Services	\$365,850
Law Department	\$243,036
Municipal Court	\$814,050
Neighborhood Housing & Community Development	\$281,548
Office of Performance Management	\$99,000
Office of Sustainability	\$9,900
Planning and Zoning Department	\$38,700
Project Systems Intelligence Office	\$315,000
Public Works Department	\$445,500
Purchasing Office	\$338,400
Small and Minority Business Resources Department	\$13,500
Telecommunications & Regulatory Affairs (TARA)	\$1,797
Watershed Protection Department	\$306,000
Total	\$55,900,000

3) *Are all departments and groups that have a development review responsibility currently using the AMANDA system, or is the City funding multiple software systems for tracking development review?*

City is only funding one system for tracking development review, AMANDA. Ancillary systems are not tied to development review. All groups that have development review responsibility are using AMANDA under DSD folders. There are other folders associated with development review that are not "under DSD's" folders (i.e., Industrial Waste, TAPS folder for Austin Water).

4) *What improvements to the AMANDA system are planned or underway for FY 2019-20 to enable user-friendly electronic plan submission and electronic plan review? Is this paperless process still expected to be in place before DSD's move into the new Planning and Development Center facility?*

An IT solution for Eplan review is expected to be in testing before the move to the Permit Distribution Center. However, as DSD will be engaging with our stakeholders and training of the staff to ensure that DSD has an Eplan process that meets our customer needs, DSD does not expect to be completely electronic by the move date. CTM does not use the Annual Aggregate DIR Authorization, like that requested in Item 55, to hire IT staff augmentation for the developing and maintenance of AMANDA.

5) *Given the recent changes to the subdivision permitting process, as well as the upcoming comprehensive revisions to the Land Development Code and associated development review process changes, what improvements are planned or underway for FY 2019-20 to ensure the AMANDA system supports the timely implementation of these policy and process changes? Please be as specific as possible.*

House Bill 3167 was adopted by council on August 22nd and DSD had the changes supporting the bill in production on August 29th. Once the new land development code is adopted by council in the December timeframe, DSD will analyze the changes needed in AMANDA and give council a timeline for their implementation.

6) *Was the purchase of City-wide electronic timekeeping software considered for this annual aggregated authorization request? If not, please explain why*

The Citywide electronic timekeeping software is not part of the annual aggregated authorization request. It is a free standing contract that was approved by Council September 28, 2017.



Council Question and Answer

Related To

Item #64

Meeting Date

September 19, 2019

Additional Answer Information

Authorize negotiation and execution of a contract with Police Executive Research Forum D/B/A PERF, to provide a comprehensive evaluation of reported sexual assaults, in an amount not to exceed \$1,000,000.

QUESTION/ANSWER: Council Member Alter's Office

- 1) *In place of focus group interviews for detectives in the SCU, is it possible for the project team to conduct one on one interviews?*

The City Manager will work with the Consultant to make sure interviewees will have the opportunity to provide feedback in any format they feel comfortable.

- 2) *Will there be mechanisms by which Council and commissions can request interim updates on the project? What would be the process for requesting and receiving presentations at various points throughout the life of the project?*

The Chair or staff liaison of the any commission can make the request for a presentation to Rey Arellano, Assistant City Manager.

- 3) *What steps will the project team take to ensure that the diversity of the community is reflected in the makeup of the team conducting the evaluation and interviews?*

In our work, we [Police Executive Research Forum (PERF)] understand the importance of incorporating diverse perspectives to ensure that our findings and recommendations address the variety of experiences that different communities have in interacting with police. We do so by engaging members of the community and by working with a diverse range of consultants.

Our team will be composed of staff from PERF, the Women's Law Project (WLP), and the Wellesley Centers for Women (WCW), and will be supplemented by consultants that will reflect gender and racial/ethnic diversity. The additional consultants will be incorporated to ensure a diverse and well-rounded project team.

- 4) *We understand that the project team will be making interim recommendations to APD for immediate consideration and implementation. What is the process for ensuring that Council also receives these recommendations as they are issued?*

The City Manager's Office and the Consultant will be engaging in twice monthly conference calls to coordinate project logistics and receive preliminary updates as appropriate. The City Manager can provide the City Council regular, six-month update memos. The project timeline can also include a mid-point Council briefing by the Consultant, tentatively scheduled for August 2020, to provide an update on the project and identify any recommendations the Consultant can provide at that point.

- 5) *What are the roles and responsibilities of each of the organizations that comprise the project team? How will they work together?*

PERF will serve as the lead organization for this project under the direction of Tom Wilson, PERF's Director of the Center for Applied Research and Management. Wilson will provide oversight on the project and ensure the

timely completion of deliverables. WLP, under the direction of Executive Director Carol Tracy, and WCW, under the direction of Senior Research Scientist Linda Williams, will both have substantial roles throughout the project and will be involved in the completion of all deliverables. PERF will rely heavily upon WLP and WCW during the case review, policy and procedures review, and the interviews, particularly the victim interviews. Representatives from all three entities will participate in site visits to Austin as a team to ensure coordination on project tasks, and will maintain frequent communication via email and telephone throughout the course of the project. PERF has worked extensively and successfully with WLP and WCW on previous projects.

6) *What elements of the Philadelphia Model will be incorporated into the Austin evaluation, especially with respect to community engagement?*

The project team is open to all models and best practices in making recommendations to the Austin Police Department. Information learned through the assessment process will help the project team in understanding which models may be most appropriate. For example, the team may recommend that in the future, APD adopt an advocate review process similar to the Philadelphia Model.

In addition, the team's review of sexual assault cases in Austin will be influenced by the case review process used in the Philadelphia Model. For example, in developing metrics for assessment during the case review, the team will utilize many of the same metrics utilized in the Philadelphia review.

The Philadelphia Model does not involve direct community engagement beyond the involvement of local advocacy organizations. However, the project team recognizes that community engagement will be an important component of the Austin evaluation. This may include community focus groups and/or setting up a mechanism to solicit public feedback, such as a dedicated email address. In addition, the team plans to engage with community advocacy organizations to gain an understanding of the key issues in Austin, and to solicit their input on identifying survivors to participate in interviews.

7) *What experience/expertise does the project team have with respect to examining different intersections within the criminal justice system, such as racial bias and policing?*

The project team has extensive experience working on a variety of issues within policing.

PERF has a wide-ranging history of addressing social issues that are not within the traditional scope of policing. For example, on issues such as homelessness, the opioid epidemic, the limited role of local police in immigration enforcement, and mental illness, many of PERF's member police chiefs have taken on leadership roles in their communities. Police executives do not necessarily seek out these roles, but because police departments must respond 24/7 to calls for service, they tend to be on the leading edge of social problems that manifest themselves on the streets of American communities. And PERF has a long history of focusing on racial issues in policing and building community trust.

In her time as PERF's Director of Research, Dr. Lorie Fridell co-authored the report, *Racially Biased Policing: A Principled Response*. PERF continues to work closely with Dr. Fridell in her current work as the Chief Executive Officer and Executive-Level Instructor of Fair and Impartial Policing, which provides implicit-bias awareness training to law enforcement agencies across the country.

Following is a sampling of PERF projects and reports over the last few years on a variety of social issues:

- Community Policing in Immigrant Communities: Stories of Success (2019)
- Managing Mental Illness in Jails: Sheriffs Are Finding Promising New Approaches (2018)
- An Inclusive Approach to School Safety: Collaborative Efforts to Combat the School-to-Prison Pipeline in

Denver (2018)

- The Police Response to Homelessness (2018)
- The Unprecedented Opioid Epidemic: As Overdoses Become a Leading Cause of Death, Police, Sheriffs, and Health Agencies Must Step Up Their Response (2017)
- Refugee Outreach and Engagement Programs for Police Agencies (2017)
- Building Interdisciplinary Partnerships to Prevent Violent Extremism (2017)
- Advice from Police Chiefs and Community Leaders on Building Trust (2016)
- Legitimacy and Procedural Justice: A New Element of Police Leadership (2014)

WLP currently works with PERF on a project funded by the Department of Justice's Office on Violence Against Women to assist police agencies in identifying and preventing gender bias in the police response to sexual assault and domestic violence. This work addresses the intersections of gender and sexual orientation with policing. WLP's work also involves high-impact litigation, advocacy, and education on issues that impact women's legal status, health, and economic security.

Dr. Linda Williams of WCW, in addition to her significant research on violence against women, has looked at the intersection of gender and policing. Specifically, she has examined the impact of having more female officers in the department on the police response to sexual assault. In the resulting paper, "Active representation and police response to sexual assault complaints," Williams and her co-authors found that having more females in a department does not have a significant impact on the department's sexual assault response. The authors suggest that an inhospitable environment for female officers and a limited ability to impact organizational actions may explain the lack of impact.

8) *Will the interview* team include native speakers for any languages other than English?

The project team has discussed with the City Manager's Office the possibility of using the City's contracted interpreters or possibly working with third-party interpreters as needed.



Council Question and Answer

Related To	Item #83	Meeting Date	September 19, 2019
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Additional Answer Information

Approve a resolution directing the City Manager to review railroad crossings for public safety improvements, report back to Council with findings, and seek opportunities to coordinate improvements as parts of other infrastructure projects and with relevant partners when feasible.

QUESTION/ANSWER: Council Member Flannigan's Office

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved

The overall effort to fulfill the tasks required in this resolution includes: mapping locations of existing railroad crossings, assessing the condition of those crossings, accurately cataloguing the locations of existing crossings and conducting a feasibility analysis of potential improvements, and assessing opportunities for coordination with other infrastructure projects or partnership opportunities. The Austin Transportation Department estimates this work to take between 3-6 months of ATD staff time. This assessment may require support from the Public Works Department.

Staff has already identified crossings belonging to Capital Metro and have provided that information to Capital Metro. Once ATD has completed study of the other crossings and feasibility studies, PWD will require approximately 12 months to perform construction feasibility and coordinate project tasks with UPRR and Real Estate Services. Additionally, this time will be necessary for coordination with ATD area engineers for design of required sidewalk realignment and improvements over the crossing locations. This work will impact PWD's construction schedule of high priority sidewalks as approved in the Sidewalk Master Plan.



Council Question and Answer

Related To

Item #84

Meeting Date

September 19, 2019

Additional Answer Information

Approve an ordinance amending City Code Title 3 and City Code Section 2-1-102 relating to: (a) impounded animal regulations - adding definitions, requiring core immunizations, mandating sterilization, addressing fee waivers, requiring notice to rescue organizations and revising reporting requirements; and (b) expanding advisory scope of the Animal Advisory Commission, respectively.

QUESTION/ANSWER: Council Member Flannigan's Office

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved

First, regarding 3-1-27, at least, for the various reports presented, a number of these reports could be generated from the Animal Services database. Currently, Austin Public Health provides information technology support to Animal Services. If an analyst was assigned these tasks as their primary focus, then any IT programming that needed to be built or modified could be done in three weeks.

Next, regarding 3-1-26 (2) and (3), during the intake process, we will ask presenters or owners who are surrendering animals if they wish to opt out of being notified should their animal be scheduled for euthanasia. This can be captured within the Animal Services database in a note but not a searchable field. Direction will be given to relevant Animal Services staff that, when an animal is scheduled for euthanasia, an additional review of the intake notes must be done to ensure this opt-out option was given to the presenter or the owner who surrendered the animal.

Finally, regarding 3-1-29, Animal Services would need to build a report to determine the number of animals that have been returned to their owner intact. With the Code amendment, these animals will then be added to the Animal Services surgery list for spay/neuter. This will require additional supplies and medication to accommodate this requirement.



Council Question and Answer

Related To	Item #88	Meeting Date	September 19, 2019
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Additional Answer Information

Approve a resolution directing the City Manager to provide a report on recommending the elimination of limits on the use of CDBG funds for healthy food retail, including full service grocery stores.

QUESTION/ANSWER: Council Member Flannigan's Office

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved

Economic Development Department will work with Neighborhood Housing and Community Development Department to understand collective administrative needs for work associated with the 5 Year Consolidated Plan for CDBG funding.



Council Question and Answer

Related To	Item #89	Meeting Date	September 19, 2019
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Additional Answer Information

Approve an ordinance renaming Central Williamson Creek Greenbelt Nature Trail to the Tom Donovan Central Williamson Creek Greenbelt Nature Trail and waiving certain provisions of City Code Chapter 14-1 related to the renaming of parkland.

QUESTION/ANSWER: Council Member Flannigan's Office

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved

If City Council approves the resolution to rename the Central Williamson Creek Greenbelt Nature Trail to the Tom Donovan Central Williamson Creek Greenbelt Nature Trail, it is estimated that the total cost would be approximately \$1,100 for the development, manufacturing and installation of the new sign for the sanctuary. The cost estimate includes City staff time.



Council Question and Answer

Related To

Item #90

Meeting Date

September 19, 2019

Additional Answer Information

Approve a resolution to initiate a rezoning of a parcel of land with the Property ID Number 775980, located at 10140 Old San Antonio Road, and known as the Matthew Brown Homestead.

QUESTION/ANSWER: Council Member Flannigan's Office

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved

The total rezoning application fee for this 3.354 acre property is \$8,699.60

The amount of time staff needs to process this case is presumed to be included in the cost of the application fee.



Council Question and Answer

Related To

Item #92

Meeting Date

September 19, 2019

Additional Answer Information

Approve a resolution recognizing the historic connection between the City of Paestum and the City of Austin and extending Austin's strong support for Paestum's efforts to bring the heroic soldiers of Texas' 36th Division the overdue acclaim they deserve.

QUESTION/ANSWER: Council Member Flannigan's Office

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved

This item will have no effect on City resources.



Council Question and Answer

Related To	Items #103 and #104	Meeting Date	September 19, 2019
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Additional Answer Information

Land Development Standards agreement with school districts.

QUESTION/ANSWER: Council Member Ellis' Office

What, if any, provisions of these land development standards support the City's adopted 50/50 Transportation Mode Share goal and leverage the City's investment in Safe Routes to Schools infrastructure (i.e. by requiring or encouraging the construction of school facilities in a manner that supports safe and convenient walking and biking to school)?

The current agreements are based on the Land Development Code and Criteria from the 1990's and do not reflect the City's recent emphasis and direction regarding mobility. The emphasis on mode share identified with the ASMP, safe routes to school, and other transportation initiatives are being codified as part of the Land Development Code rewrite. Staff has recommended a 2 year extension of the agreements to provide time for the code and criteria adoption and renegotiation of the agreements utilizing the updated code and criteria.

Austin Independent School District (AISD) requested a 5 year extension in order to complete their 2017 Bond program. City Council resolution 20180510-049 provides staff direction to help support the 2017 Bond projects; therefore staff recommends the 5 year extension for the AISD development agreement.



Council Question and Answer

Related To	Item #104	Meeting Date	September 19, 2019
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Additional Answer Information

Conduct a public hearing to consider an ordinance authorizing an amendment to the individual Land Development Standards agreements with Eanes, Round Rock, Del Valle, Pflugerville, and Leander Independent School Districts extending the expiration of the agreements by a period of two years.

QUESTION/ANSWER: Council Member Flannigan's Office

Why are the extensions for these school districts shorter than the one for AISD in item 103?

Extending the Agreements for the school districts in Item 104 two (2) years allows for the Land Development Code rewrite to complete so that new Agreements can be negotiated in reference to new codes.

Extending the Austin ISD Agreement five (5) years allows for Austin ISD to complete their 2017 bond construction program under conditions of the existing Agreement.



Council Question and Answer

Related To	Item #105	Meeting Date	September 19, 2019
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Additional Answer Information

Conduct a public hearing and consider an ordinance amending ordinance No. 20120628-138 by amending the map indicating areas with additional regulations applying to Mobile Food Establishments to include Colony Park/Lakeside Neighborhood Association, Inc., Harris Branch Master Association, Inc., and North Shoal Creek Neighborhood Planning Area in accordance with Section 25-2-812 of the City Code.

QUESTION/ANSWER: Council Member Ellis' Office

In a table, for each of the areas with additional restrictions on mobile food establishments beyond the citywide regulations documented in Section 25-2-812 of the City Code, please provide:

1. *Year of the area's vote related to the Mobile Food Establishments Ordinance*
2. *Number of votes in favor of the additional restrictions**
3. *Number of votes opposed to the additional restrictions**
4. *Estimated number of residents of the area (2010 Census is fine)*
5. *Percentage of the area's residential population (d) represented by the votes in favor of additional restrictions (b)*

** If the vote results were not documented for a given area, please provide any information available regarding the number of individuals that may have attended the meeting at which the vote was taken.*

This item will be postponed by staff to November, the responses will be provided at that time.



Council Question and Answer

Related To

Item #107

Meeting Date

September 19, 2019

Additional Answer Information

Conduct a public hearing related to an application by AMTEX Multi-Housing, LLC, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program, to be known as Spring Villas, located at or near 7430 Bluff Springs Road in the City's extraterritorial jurisdiction; and consider a resolution that relates to the proposed development, the application, and the allocation of housing tax credits and private activity bonds near the proposed development.

QUESTION/ANSWER: Council Member Ellis' Office

Please provide as backup the following information for this 4% tax credit item:

1. *A map that shows the location of the proposed development relevant to City of Austin jurisdictional boundaries (i.e. full-purpose vs ETJ)*

Attached please find a map showing the site, the adjacent City Council Districts (Full Purpose), and the Extra-Territorial Jurisdiction (ETJ). It is important to note that the site is immediately adjacent to City Council District #2. The portion of the ETJ in which the site is located is completely surrounded by District #2.

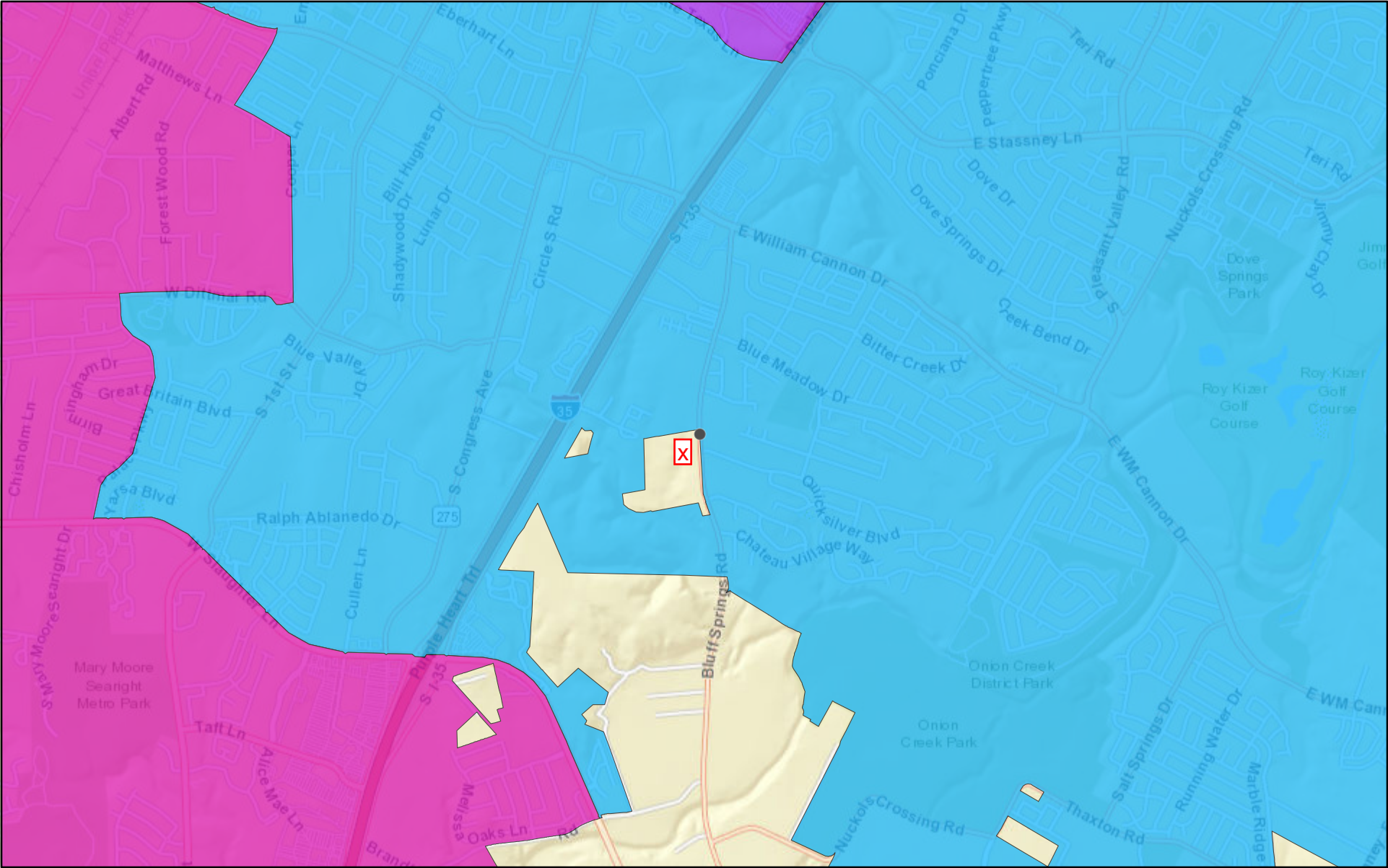
2. *The developer's application to the City (or an alternative package of location-based information detailing the proposed housing development's transit access, access to healthy food, and floodplain proximity)*

The developer's application (Request for City of Austin Resolutions) can be found on line and was referenced in backup for City Council Agenda Item #107.
http://www.austintexas.gov/sites/default/files/files/SpringVillas_All_4_.pdf Additionally, staff has mapped the development's transit access, access to healthy food, and floodplain proximity. Please see attached maps for detailed information. Please note the following: (1) the site is not located in the floodplain; (2) the site is located within proximity of a healthy food retail establishment; and (3) the site is located within ¾ mile distance of a high-frequency transit stop.

3. *A table of potential tenants' eligibility for key governmental services (such as ACC in-district tuition and Austin Code protection) based on the jurisdictional location of the proposed housing development*

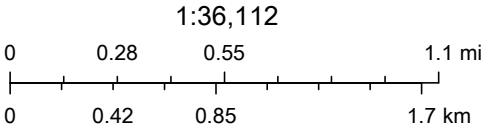
NHCD staff is working with PAZ staff to detail key governmental services available to residents within the ETJ. As soon as that information is available, we will forward to City Council.

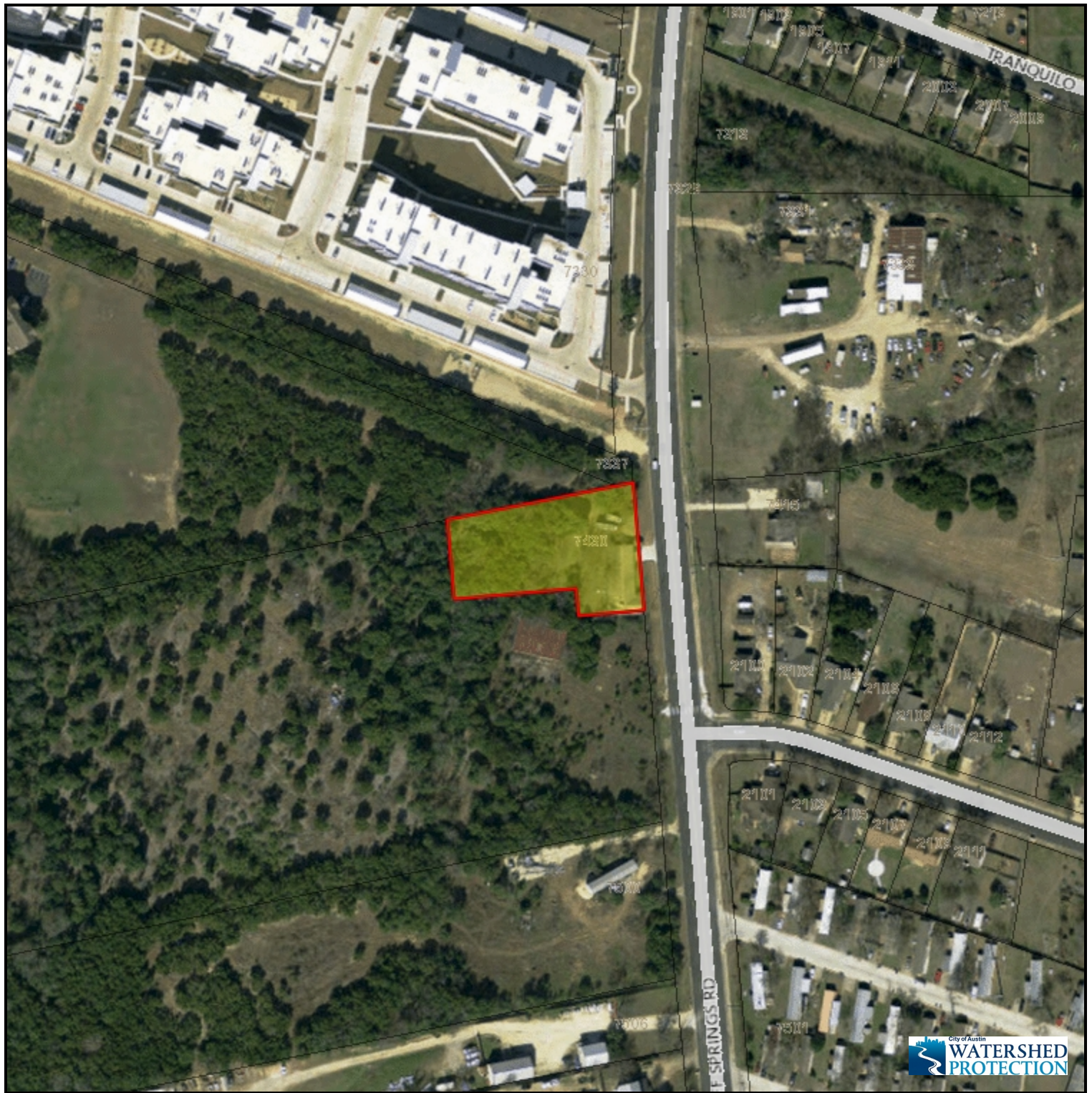
Spring Villas District Map



9/18/2019, 8:39:46 AM

City Council Districts 3 5
2 ETJ Proposed Development





FEMA Floodplains

The City of Austin Watershed Protection Department produced this product for informational purposes. It is not intended for or suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative locations of property boundaries. No warranty is made by the City of Austin regarding specific accuracy or completeness. Final determination of the floodplain status for a property must be based on a topographic survey by a Texas registered professional. For regulatory purposes, 100-Year floodplain elevations must be determined from an engineering model created in accordance with the Drainage Criteria Manual and approved by the City of Austin.

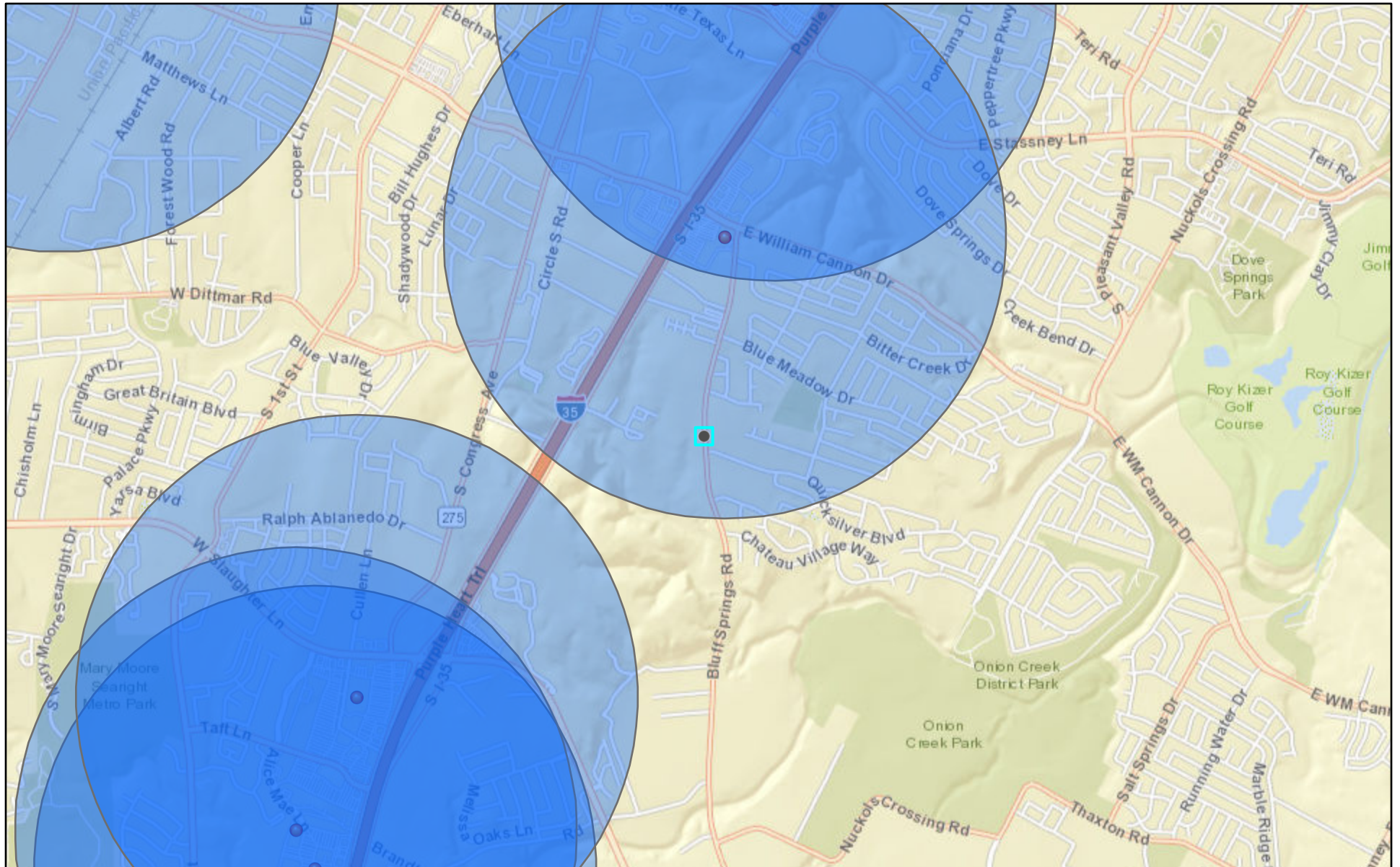
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
Prepared: 9/18/2019

- Address
- Parcel
- FEMA Floodplain
 - 100 Year (Approx-A)
 - 100 Year (Detailed-AE)
 - 100 year (Shallow-AO)
 - X PROTECTED BY LEVEE
 - 500 Year

Spring Villas Healthy Food Map



9/18/2019, 8:44:44 AM

 Healthy Food

 Healthy Food Retail Locations

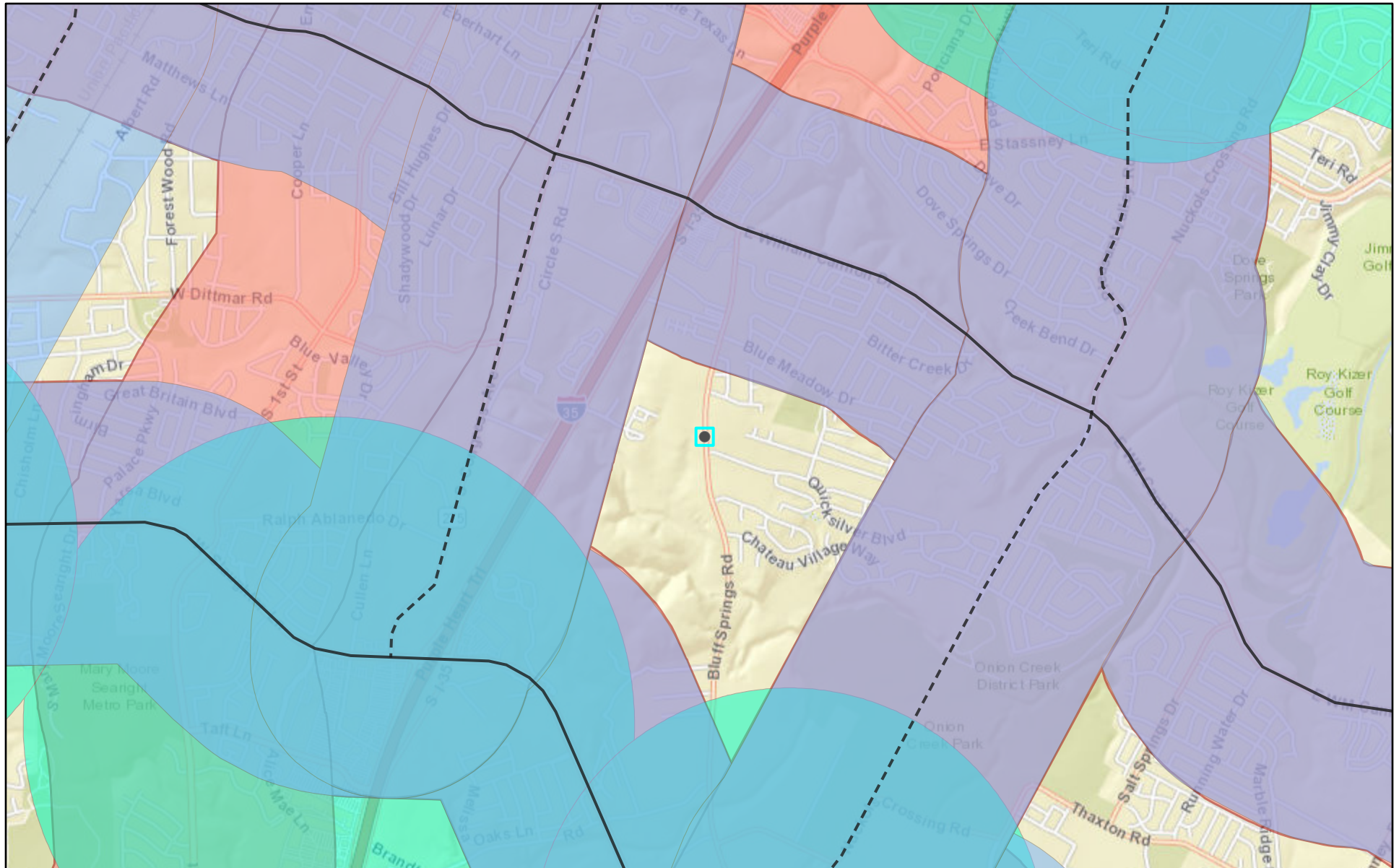
1:36,112

0 0.28 0.55 1.1 mi
0 0.42 0.85 1.7 km

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,

Web AppBuilder for ArcGIS
Esri, HERE, Garmin, INCREMENT P, NG, USGS |

Spring Villas Imagine Austin Map



9/18/2019, 8:42:12 AM

2016 Mobility Bond Corridor Projects

— Construction Eligible Corridor

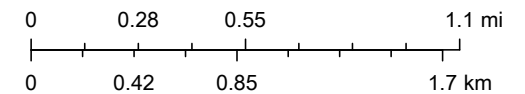
- - - Preliminary Engineering and Design

■ Mobility Bond Corridor: 1/2-Mile Buffer

■ Imagine Austin Center: 1/2-Mile Buffer

■ Imagine Austin Corridor: 1/2-Mile Buffer

1:36,112

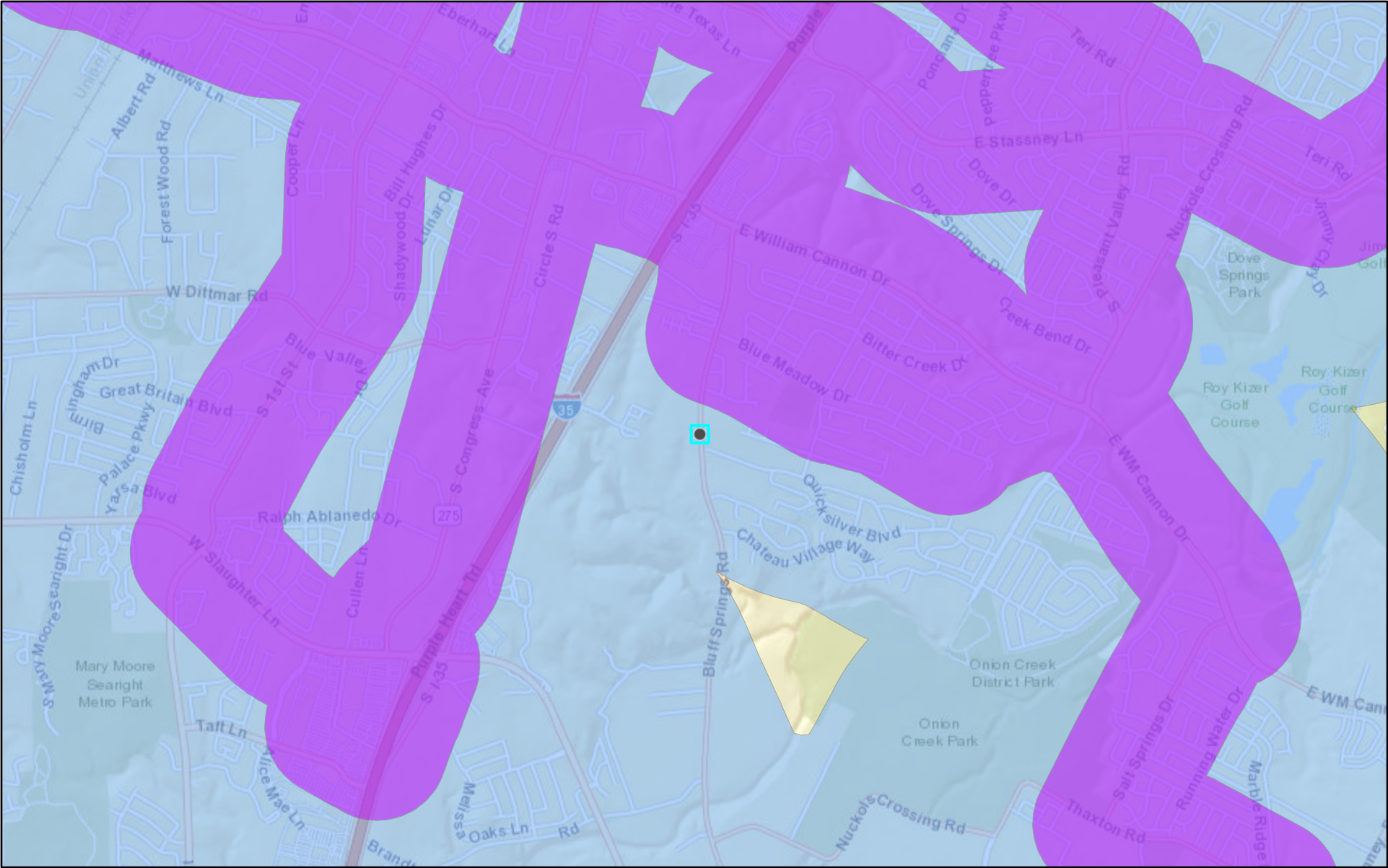


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan,



Web AppBuilder for ArcGIS

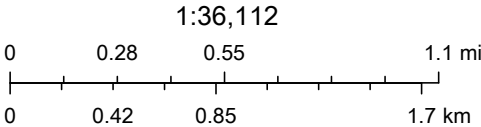
Esri, HERE, Garmin, INCREMENT P, NGA, USGS | City of Austin Planning and Development Review Department |

Spring Villas Transit Map



9/18/2019, 8:43:39 AM

-  High Frequency Bus Routes: 1/4-Mile Buffer
-  Bus Routes: 3/4-Mile Buffer





Council Question and Answer

Related To

Item #113-115, 119-120

Meeting Date

September 19, 2019

Additional Answer Information

East Riverside Drive and South Pleasant Valley Zoning Cases

QUESTION/ANSWER: Council Member Alter's Office

1) Does staff have any data on the existing lease turnover rate for the existing multifamily properties on these sites?

Staff does not have the information to address this question, however, staff has requested that the applicant provide this information if available.

2) Approximately what percentage of residents do not renew their lease annually?

Staff does not have the information to address this question, however, staff has requested that the applicant provide this information if available.

3) Does staff have information on whether all of these leases, or what percentage of leases, for the existing multifamily properties on these parcels are leases for individual bedrooms vs for the entire unit?

Staff does not have the information to address this question, however, staff has requested that the applicant provide this information if available.

4) What if any affordability requirements would be in place on these sites were this case denied?

If the properties are not rezoned, a portion of the rezoning area covered by case C14-2018-0027 (Item 108) will still be eligible for increased height with affordability requirements. The 36.967 portion that has frontage on East Riverside and Crossing Place is the only part of the request that is currently located in the ERC Hub boundary.

We do not have information about the number of units proposed on this tract, but calculations would be made as follows:

- The site is currently entitled to an increase in height from 50 to 65 feet. This would add one story.
- If this story is added, it is considered bonus area. The property would be required to provide 1 square foot of affordable housing for every 4 bonus square feet.
- A minimum of 50% of the bonus area must be earned through the provision of on-site affordable housing.

5) Can staff provide a summary of the value of any financial investments the development will be required to make in parkland infrastructure, including trails, in addition to the dedication of parkland? Please provide detail on how that value was calculated. Please provide any available detail on how these funds will be used.

An evaluation of parkland improvements will occur at the time a site plan is submitted.

6) Will any heritage or protected trees be removed for this development? If so please provide details on this. Will the development be required to follow the standard variance process for tree removal?

A tree survey is required as part of the site plan application and if any trees are proposed for removal, they will be identified at that time.

- 6) *What if any enforceable obligation will be codified in these cases to ensure the city receives the value of the estimated parkland investments? Is it accurate that a significant amount of the projections for parkland investments is predicated on the estimate of the amount of residential development that the applicant is proposing and that if the project reduced the amount of residential development the parkland investment would also reduce?*

The applicant will be required to dedicate parkland at the time of subdivision, and develop the parkland using the required development fee. Based on assumptions described below, the park development fee will be between \$1.2 and \$1.3 million. The applicant will develop the dedicated parkland using these monies. Parkland development fee are calculated as follows (from §25-1-606):

Step 1: Determine cost of development per person:

Parkland Cost Factor/Facilities Level of Service = Development Cost Per Person

\$788,321.50 neighborhood park cost / 4,418.4 people per developed park = \$178.42 per person

Step 2: Determine cost of development per unit

High Density: 1.7 persons per household * \$178.42 = \$ 303.31 per unit (fee may increase in Oct 2019).

Step 3: Calculate total cost

The applicant provided an estimate of 4,709 total units, and between 400 and 565 affordable units.

Affordable units, which must be certified by NHCD, are subtracted from the calculations.

Low end, based on 4,709 total units, minus 565 affordable units

\$303.31 * 4,144 units = \$1,256,917

High end, based on 4,709 total units, minus 400 affordable units

\$303.31 * 4309 units = \$1,306,963

These monies will be used by the applicant to build the newly dedicated parks. This may include, but not be limited to, trail improvements and connectivity; active recreation such as playgrounds, ball fields, and tennis courts; as well as dog parks, and community gardens. The exact park amenities will be determined by PARD in discussions with the applicant, and an assessment of the needs and preferences of the community.

- 7) *What if any enforceable obligation will be codified in these cases to ensure this project builds a residential component and doesn't use these increased entitlements to build a project that is solely commercial and retail in nature? Are the density bonus options available for projects that are entirely commercial and retail uses, or do they require a residential component? Please explain what if any constraints the TDM creates to constructing a project on these parcels that is entirely retail or commercial in nature.*

If redevelopment on the property proposes taking advantage of the density bonuses then affordable units must be provided onsite or the owner must pay a fee-in-lieu of onsite units. A residential component is not required.

Any redevelopment will be required to comply with the approved Traffic Impact Analysis (TIA), including trip generation, circulation patterns and more. Since most commercial land uses generate more traffic than multifamily land use and has different circulation and timing patterns, the property would not be able to achieve the same square footage of commercial as multifamily use. Substantial changes to the proposed mix of uses could trigger a TIA amendment. Offsite improvements and other TDM features could be modified based on any change to the mix of uses.

- 8) *Please explain what if any benefits for area water quality controls would be achieved through the approval of these items?*

If they are tearing down what's there and redeveloping the site, they will be required to provide water quality treatment for all new and redeveloped impervious cover at the site plan stage.

- 9) *Which of the parcels are allowed to have commercial uses today and what are the height and FAR limits for those parcels today? How many residential units are estimated to be on those parcels today?*

	Zoning case #	Current ERC Subdistrict	1 bed	2 bed	3 bed	4 bed	Units	Beds
Town Lake	C14-2018-0028	UR	36	36	36	108	216	648
Ballpark North	C14-2018-0028	UR	78	24	78	102	282	768
Quad West	C14-2018-0026	NMU	24	144	0	120	288	792
Quad East	C14-2018-0027	UR	30	60	60	120	270	810
Quad South	C14-2018-0027	NMU	48	72	36	96	252	684
Totals							1,308	3,702

Permitted Land Uses in ERC Subdistricts			
	UR	NMU	CMU
Residential, attached	Permitted	Permitted	Permitted
Residential, detached	Not Permitted	Not Permitted	Not Permitted
Smaller-scale Retail (less than 50,000 sq ft)	Not Permitted	Permitted	Permitted
General Retail	Not Permitted	Not Permitted	Permitted
Office	Not Permitted	Permitted	Permitted
Warehousing & Light Manufacturing	Not Permitted	Not Permitted	Not Permitted
Education/Religion	Permitted	Permitted	Permitted
Hospitality (hotels/motels)	Not Permitted	Permitted	Permitted
Civic Uses (public)	Permitted	Permitted	Permitted
Development Standards in ERC Subdistricts			
	UR	NMU	CMU
Maximum Building Height *	40 ft	50 feet	60 feet
Maximum FAR*	0.75 to 1	1 to 1	2 to 1
Desired Minimum FAR	60%	60%	60%
Impervious Cover	65%	80%	90%

10) *Has this project been examined by staff involved in Project Connect to determine whether any of our needs in that area can be realized through this project?*

The applicant is paying a transportation mitigation fee in lieu of about \$1.6 million towards Project Connect BRT Light Rapid Transit along Pleasant Valley Road.

QUESTIONS ASKED AT WORK SESSION

If we were to remain consistent with the Land Development Code rewrite adopted direction, what would staff apply with respect to granting increased entitlements on this site, and to what degree?

The current approach to the LDC Revision is that current regulations for certain districts, including regulating plans, would be carried forward “as is”. This property falls within the East Riverside Corridor Regulating Plan, therefore the LDC Revision would keep current regulations in place, or “as is”.



Council Question and Answer

Related To	Item #140	Meeting Date	September 19, 2019
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Additional Answer Information

Approve a resolution authorizing the City Manager to award, negotiate and execute cultural arts services contracts for Fiscal Year 2019-2020 in an amount not to exceed \$8,654,255, and authorizing payment in the amount of \$60,000 for Zachary Scott Theatre Center maintenance required under a separate operations agreement and authorizing payments of \$25,000 each to Austin Fine Arts Alliance, Capital City Black Film Festival, and Mexic-Arte Museum for marketing through the Austin Convention Center Department's operating budget.

QUESTION/ANSWER: Council Member Alter's Office

- 1) *Why is the cultural arts spending so much less than the historic preservation spend?*
Pending



Council Question and Answer

Related To	Item #146	Meeting Date	September 19, 2019
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Additional Answer Information

Approve a resolution directing the City Manager to initiate a process for the redevelopment of the City of Austin's Rutherford Lane Campus in conjunction with the Asian American Resource Center Master Plan.

QUESTION/ANSWER: Council Member Flannigan's Office

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved

The Economic Development Department has estimated the unit cost of repositioning a developable piece of City –owned property for which the City seeks to repositioning through a competitive public-private partnership. Staff time is estimated at 1100 hours and the total cost site planning, market analysis, physical and legal research, appraisal, community engagement and title work is approximately \$140,000. This estimate is inclusive of developing the site concept, crating and issuing the competitive solicitation for a developer and entering into an exclusive negotiation agreement. The estimate excludes legal fees to negotiate the development agreement as this cost is contingent on complexity of the transaction and need for specialized outside legal counsel.



Council Question and Answer

Related To

Item #147

Meeting Date

September 19, 2019

Additional Answer Information

Conduct a public hearing and consider an ordinance releasing approximately 841.4 acres of extraterritorial jurisdiction ('ETJ') located at the northwest corner of Giles Lane and Highway 290 East to Travis County.

QUESTION/ANSWER: Council Member Flannigan's Office

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved

There is no application fee for this request and there would be limited staff resources, including staff time required for this resolution.



Council Question and Answer

Related To	Item #149	Meeting Date	September 19, 2019
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Additional Answer Information

Approve an ordinance amending City Code Section 11-2-7 (Allocation and Use of Hotel Occupancy Tax Revenue) and adding a new City Code Section 11-2-8 (Additional 2 Percent Hotel Occupancy Tax for Convention Center Expansion), to allocate additional funds for local music and historic preservation consistent with Chapter 351 of the Texas Tax Code.

QUESTION/ANSWER: Council Member Flannigan's Office

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved

This ordinance does not, in itself, create additional work for City staff or require additional City resources. This ordinance is changing City Code to align with previous Council action regarding the increase in the HOT assessment related to expansion of the Convention Center.

QUESTION/ANSWER: Council Member Tovo's Office

Please identify the dollar amount, percentage, and number of organizations supported through the 15% cultural arts funding that would fall into the category of music for the last 5 years.

The Cultural Arts Funding Program consists of the Core, Community Initiatives, Cultural Heritage Festivals, and Capacity Building funding programs. The Core funding program is comprised of 11 categories of artistic disciplines, of which Music is one. Data on Music contracts going back 5 years is only available for the Core Funding Program. Below is a chart that reflects the total award amount, the percent of total award amount, and the number of contracts in the Music category.

FY	Award Amount	% of Total Awarded Funds	Number of Contracts
15	\$1,582,369	20%	70
16	\$1,887,933	23%	63
17	\$2,231,406	22%	70
18	\$2,432,378	22%	76
19	\$2,490,060	22%	89



Council Question and Answer

Related To

Item #150

Meeting Date

September 19, 2019

Additional Answer Information

Approve a resolution to initiate a rezoning of the property located at 8900 Hunters Trace from family residence-neighborhood plan (SF-3-NP) combining district to neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district and amend the Future Land Use Map.

QUESTION/ANSWER: Council Member Flannigan's Office

Please provide an estimate on the impact to City resources, including City Staff time, required to accomplish the task(s) required in this resolution if approved

The total rezoning application fee for this 0.2320 acre property is \$7618.00. The neighborhood plan amendment application fee for this property is \$4739.28.

The amount of time staff needs to process these cases is presumed to be included in the cost of the application fees