



Recommendation for Action

File #: 19-3566, **Agenda Item #:** 31.

12/5/2019

Posting Language

Authorize negotiation and execution of an interlocal agreement with the City of Pflugerville to provide public health services for a nine-month period beginning January 1, 2019 with up to three 12-month extension options. Related to Item #32.

Lead Department

Austin Public Health.

Fiscal Note

This item no fiscal impact.

Prior Council Action:

September 20, 2018 - Council approved Ordinance No. 20180920-024 authorizing negotiation and execution of eight interlocal agreements with the municipalities of Bee Cave, Lakeway, Manor, Rollingwood, Village of San Leanna, Sunset Valley, Village of Volente and West Lake Hills to provide public health services for a 12-month period beginning October 1, 2018, with up to four 12-month extension options.

For More Information:

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Additional Backup Information:

On October 8, 2019, the City of Pflugerville's City Council approved Resolution RES-0653, authorizing its City Manager to execute an interlocal agreement (ILA) with the City for the City's provision of public health services. On September 20, 2018, Council previously approved public health ILAs with the Cities of Bee Cave, Lakeway, Manor, Rollingwood, Sunset Valley, Village of Volente, Village of San Leanna and West Lake Hills. Approval of this item will result in the City's ninth municipal ILA for public health services. The City has previously executed similar ILAs for public health services since October 1, 2005.

Similar to the City's eight existing public health service ILAs, this ILA with City of Pflugerville authorizes the Austin Public Health Department (APH) to provide public health services, including food establishment permits and inspections, swimming pool/spa permits and inspections, and custodial care facility inspections. This ILA provides for the City to be compensated for these public health services through the receipt of permit fees paid by businesses operating in the City of Pflugerville. In addition to receiving permit fee revenue, the City of Pflugerville will be required to pay the City \$63,750 in Fiscal Year 2019-2020 and \$65,000, \$45,000 and \$25,000 for renewal years one through three respectively. These revenues (permit fees plus annual payments) are expected to fully offset the cost of providing the services identified in this ILA.

Under this ILA the City will:

- Administer and enforce State laws and municipal ordinances regulating food enterprises (including plan

review, permit issuance, inspections and complaint investigations).

- Administer and enforce State laws and municipal ordinances regulating pools and spas (including plan review, permit issuance, inspections and complaint investigations).
- Conduct annual environmental (sanitation) inspections of custodial care facilities (child care centers, foster and adoptive homes).
- Prepare and maintain case files on completed inspections and inform the municipality of such inspections and any recommendations for action. Make staff available for testimony in court proceedings in the event a lawsuit is filed regarding the services provided under this ILA or the municipality's enforcement actions.

Under this ILA, the City of Pflugerville will have the following responsibilities:

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