



**August 27, 2020**

## 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

**Item #8:** Authorize negotiation and execution of a construction contract with Andale Construction, Inc., for the HA5 Pavement Treatment project in an amount not to exceed \$310,000. (Note: Sole source contracts are exempt from the City Code Chapter 2-9A Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

### COUNCIL MEMBER KITCHEN'S OFFICE

*Can procurement or Public Works staff please confirm the paving product is in compliance with City Code Chapter 6-6 (Pavement Products)?*

The HA5 provider and the contractor assured us that their product is in compliance with the City Code Chapter 6-6. IPS has reviewed PAH testing from their asphalt suppliers and have found those results to provide them with absolutely no indication that HA5 would be non-compliant to COA's established threshold of 0.1%. Please see attachment.

**Item #9:** Authorize negotiation and execution of a competitive sealed proposal agreement with Rosendin Electric, Inc. for construction services for the Austin Convention Center South Side and North Side Event Space Lighting project for a total contract amount not to exceed \$2,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 36.38% MBE and 2.04% WBE participation.]

### COUNCIL MEMBER FLANNIGAN'S OFFICE

*Will a condensed timeline result in a cost-savings?*

The negotiations that will occur with Rosendin Electric, Inc. following this Council Action will be able to explore any cost-savings that could be realized due to a condensed timeline. Cost savings for this project would likely happen due to the fact that general conditions (typically billed monthly on construction pay applications) should be less. The Sponsoring Department (Austin Convention Center Department) has relayed, that as might be expected, there aren't any public events scheduled for the rest of 2020; and the project should be able to take advantage of that, because at least for the start of the project the work should be able to proceed utilizing normal, full-days of the general contractor's, and subcontractor's, labor. The Convention Center, does, however, have public events scheduled starting in January of 2021.

**Item #20:** Approve a resolution authorizing the acceptance of \$1,243,558 in grant funding from the Office of the Governor, Public Safety Office, Criminal Justice Division to assist in covering costs related to COVID-19.

#### INFORMATION REQUESTED AT THE WORK SESSION

1. *Is this grant funding from the Office of the Governor, Public Safety Office, Criminal Justice Division, above and beyond the funding identified in our Coronavirus Spending Framework (passed earlier this year)?*

Yes.

2. *Please detail any additional Coronavirus related grants that the City has received or anticipates receiving that were not detailed in our Coronavirus Spending Framework.*

The Controller's office provided a list of COVID-related grants to include:

ABIA FAA 63-20 AIP

APH Infectious Disease Control Unit

APH Public Health Emergency Preparedness (PHEP)

APH Ryan White Part A

APH Ryan White Part C

EMS Cares Act Provide Relief Program

Please see attachment.

**Item #32:** Approve a resolution authorizing the application for and acceptance of grant funding in the amount of \$662,339 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled APD Victim Crisis Intervention Project.

#### COUNCIL MEMBER ALTER'S OFFICE

- 1) *Is this grant a continuation of resources for Victim Services that funds existing counselors?*

Yes, this is the fifth year of funding for this specific program

- 2) *How many FTEs does this fund?*

8 counselors, full city benefits

**Item #33:** Approve a resolution authorizing the application for and acceptance of grant funding in the amount of \$259,804 from the State of Texas, Office of the Governor, Criminal Justice Division, to implement the Austin Police Department project entitled First Responder Mental Health Program.

#### COUNCIL MEMBER ALTER'S OFFICE

*Please explain the difference in this year's grant level from the 2019 award amount. Will these funds bring any additional contracted clinicians or is this simply an extension of existing service levels?*

The active award funds contract clinicians and a principal investigator. The performance period is 2 years, ending 12/31/20. The performance period for the proposed grant is technically 10/1/20 – 9/30/21 (to remain in line with the solicitation); however, the actual performance period will begin 1/1/21. The proposed budget includes 10 months of activity and, if successful, will fund a victim counselor (currently funded under a grant program that was not sustained), the principal investigator, and current contract clinicians.

**Item #34:** Approve a resolution authorizing the application for and acceptance of grant funding in the amount of \$128,019 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department program titled Project Safe Neighborhoods.

COUNCIL MEMBER FLANNIGAN'S OFFICE

*What were the goals and outcomes of the first year of this program?*

Project Safe Neighborhoods (PSN) is a nationwide initiative that brings to light the most pressing violent crime problems in a community and develops comprehensive solutions to address them through leadership, partnerships, enforcement, and prevention. Our local PSN (year 1 and the proposed year 2) focuses resources in the downtown and Riverside areas due to high violent crime levels in these areas.

Year 1 activities include targeted enforcement (overtime operations) and crime prevention (education/awareness). Anticipated outcomes include an increase in the number of engagement opportunities and a reduction in violent crime and weapons involvement. The pandemic and staffing shortages have resulted in programming delays with both components (enforcement and prevention). To date, 38 investigations and 24 arrests have been reported under this project. Staff is planning to complete a series of Public Service Announcements to post online by the end of this calendar year with Year 1 funds; Year 2 funds will be modified to include a strong education and awareness component.

**Item #35:** Approve a resolution authorizing the application for and acceptance of grant funding in the amount of \$168,670 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled APD Violence Against Women Investigative Project.

COUNCIL MEMBER ALTER'S OFFICE

*Are these new resources or a grant to continue existing operations? What will be new in FY21?*

Existing resources. We have allocated FY21 funds for existing temp positions to continue existing operations (ViCAP entry and investigative support work).

**Item #36:** Approve a resolution authorizing the application for and acceptance of grant funding in the amount of \$241,800 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled Sexual Assault Evidence Testing Project.

COUNCIL MEMBER ALTER'S OFFICE

*Are these contracts different from the several contracts we entered into last year with the Houston Forensic Science Center, University of North Texas Health Science Center, Bode Forensics, and Signature Science? Which labs will we be contracting with? If this contract is different from the contracts passed at the April 25, 2019, Council meeting, please provide an update on the four 2019 DNA lab contracts and whether we are continuing with those contracts.*

The scope is a bit different. All requested funds are currently divided between three contract line items. Two contracts will allow for DNA testing of sexual assault evidence (not SA kits),

including reference samples (buccal swabs). No vendors are identified (in the proposal) for the testing component. With the third contract, we identified a vendor with a CODIS administrator – the Houston Forensic Science Center – and explained that funding would be used to complete the CODIS review and upload of new DNA profiles following DNA testing and technical review. The current outsource contracts primarily focus on sexual assault kits and technical review, and are expected to continue with general fund dollars. If possible, we will amend existing contracts for expediency.

**Item #37:** Approve a resolution authorizing the application for and acceptance of grant funding in the amount of \$241,800 from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department project entitled Sexual Assault Evidence Testing Project.

#### COUNCIL MEMBER ALTER’S OFFICE

*These funds will be added to the FY20 budget. Will all of these funds be expended before Oct. 1, or will the balance roll over and into an amendment for the FY21 budget?*

This action amends the FY20 budget and funds will be available through the grant end date. We will not need further council action (i.e., an FY21 budget amendment).

**Item #64:** Approve ratification of an emergency contract with First Medical Response of Texas, LLC (MBE), to provide temperature screening services for Austin Water facilities, in the amount of \$549,670, and authorize additional expenditures for the continuation of this contract for up to six months in an amount not to exceed \$1,500,330, for a total contract amount not to exceed \$2,050,000.

#### COUNCIL MEMBER TOVO’S OFFICE

*Please confirm if this expenditure is eligible for reimbursement with the City's CARES funding and if a reimbursement request will be filed.*

Pending Austin Water implemented temperature monitoring at the treatment plants, service centers and major facilities to protect essential employees working to provide critical water services and maintain critical infrastructure during the COVID-19 pandemic. These temperature monitoring services were critical to ensuring the public health and safety of our community during the pandemic. These expenses will not be reimbursable through the CARES Act since Council did not allocate CARES funding for Austin Water. However, Austin Water has submitted these contract expenses to the Controller’s Office for compilation for the City’s possible reimbursement through FEMA. Decisions on whether these specific costs are reimbursable through FEMA would be made as they review and audit the City’s submittal.

**Item #66:** Authorize award of a contract with NTT Enterprises, Inc. D/B/A Tyler Camera Systems, to provide a multifunctional seating platform and rappel attachment for an Austin Police Department helicopter, in an amount not to exceed \$88,750. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business

Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

#### INFORMATION REQUESTED AT THE WORK SESSION

1. *Is this grant money that we are using?*  
Yes
2. *Is this brand new equipment or is it replacement equipment? What kind of scenarios would this equipment be assisting with and why?*  
Brand new equipment
3. *What kind of scenarios would this equipment be assisting with and why?*  
See attached document
4. *There are concerns about certain types of equipment used for crowd control, why can't we utilize star flight for rescues?*  
This equipment is not meant for crowd control. See attached document for mission scenarios.
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A fiscal analysis has not been made to compare the cost of flying a mission as compared to the benefit of providing public safety services specific to the mission scenarios described in the attached document.
7. *Why is APD taking on this when star flight does that work?*  
Although there are similarities, acquisition of the equipment will provide enhanced public safety capability. See attached document



### Council Question and Answer

**Related To**

Item #8

**Meeting Date**

August 27, 2020

### Additional Answer Information

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**QUESTION/ANSWER:** Council Member Kitchen's Office

*Can procurement or Public Works staff please confirm the paving product is in compliance with City Code Chapter 6-6 (Pavement Products)?*

The HA5 provider and the contractor assured us that their product is in compliance with the City Code Chapter 6-6. IPS has reviewed PAH testing from their asphalt suppliers and have found those results to provide them with absolutely no indication that HA5 would be non-compliant to COA's established threshold of 0.1%. Please see attachment.



August 18, 2020

City of Austin  
Attn: Angela N. Johnson, P.E., Ph.D.  
4411-A Meinardus Dr  
Austin, TX 78744

***Subject: polycyclic aromatic hydrocarbon***

Ms. Johnson,

We received your request for information regarding the polycyclic aromatic hydrocarbon (PAH) content of HA5 High Density Mineral Bond. Because of your request, we have contacted several labs to determine their capabilities in providing the testing required to validate that HA5 falls under Austin's established PAH threshold of <0.1%. We will provide a statement of the results as soon as a lab is selected, and testing is complete. We anticipate the results in a few short weeks.

We have reviewed PAH testing from our asphalt suppliers and have found those results to provide us with absolutely no indication that HA5 would be noncompliant to the city's established threshold of 0.1%.

If you have additional questions, please contact me at (435) 862-8064 or [mark@preserveasphalt.com](mailto:mark@preserveasphalt.com).

Warm Regards,

A handwritten signature in black ink that reads "Mark Beatty". The signature is fluid and cursive, with the first and last names being the most prominent.

Mark Beatty  
Sr. Vice President  
Integrated Pavement Solutions (IPS)





### Council Question and Answer

Related To	Item #9	Meeting Date	August 27, 2020
Additional Answer Information			

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#### **QUESTION/ANSWER:** Council Member Flannigan's Office

*Will a condensed timeline result in a cost-savings?*

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### Council Question and Answer

**Related To**

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The Controller's office provided a list of COVID-related grants to include:

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APH Infectious Disease Control Unit

APH Public Health Emergency Preparedness (PHEP)

APH Ryan White Part A

APH Ryan White Part C

EMS Cares Act Provide Relief Program

Please see attachment.

#### ABIA FAA 63-20 AIP

Contact: [Cathy.Brown@austintexas.gov](mailto:Cathy.Brown@austintexas.gov)

ABIA FAA 63-20 AIP-UFAA was awarded to us in May of 2020 in accordance with the CARES Act grant. This grant was to provide eligible Sponsors with funding to help offset a decline in revenues arising from diminished airport operations and activities as a result of the COVID-19 Public Health Emergency. CARES Act Airport Grants amounts to specific airports are derived by legislative formula. The purpose of this Grant is to maintain safe and efficient airport operations. Funds provided under this Grant must only be used for purposes directly related to the airport. Such purposes can include the reimbursement of an airport's operational and maintenance expenses or debt service payments. The total grant awarded is up to \$58,735,130, and as is standard FAA periods of performance, we have 4 years for the date of acceptance to draw down funds. To date we have submitted 2 draw downs totaling 6,235,665 leaving an available balance of 52,499,465. We are currently working on gathering the proper support for a third draw down.

#### EMS Cares Act Provide Relief Program

Contact: [Tabitha.Barborak@austintexas.gov](mailto:Tabitha.Barborak@austintexas.gov)

On March 27, 2020, the President signed the bipartisan CARES Act that provides \$100 billion in relief funds to hospitals and other healthcare providers on the front lines of the coronavirus response. This funding will be used to support healthcare-related expenses or lost revenue attributable to COVID-19 and to ensure uninsured Americans can get testing and treatment for COVID-19. The U.S. Health and Human Services Department (HHS) began distributing the general distribution funds to healthcare providers on April 10, 2020. The Emergency Medical Services (EMS) Department was distributed \$330,131 by HHS on April 13, 2020. On April 24, 2020, HHS notified healthcare providers of an additional allocation that can result in an additional distribution for EMS up to \$220,000. As a recipient of these federal funds, EMS will not balance bill patients transported for COVID-19. Acceptance of these funds will also allow EMS the ability to request federal reimbursement for uninsured COVID-19 patients. These funds will offset lost revenue that results from COVID-19 transports and aid-at-scene.

#### APH grants

Contact: [Adrianne.LevitchPotvin@austintexas.gov](mailto:Adrianne.LevitchPotvin@austintexas.gov)

#### APH Infectious Disease Control Unit – UDOJ

Perform surveillance and epidemiology activities for all notifiable conditions with an emphasis on conditions reported through the National Electronic Disease Surveillance System.

#### APH Public Health Emergency Preparedness (PHEP) – US HHS (\$1,697,986)

Perform activities in support of Public Health Emergency Preparedness cooperative agreement from the CDC and Prevention in support of health emergency preparedness.

#### APH Ryan White Part A – US HHS (\$267,364)

Aid in the health disparities in the HIV community. Assist with core and support medical services for people living with HIV.

#### APH Ryan White Part C - US HHS (\$147,845)

Early intervention to core and support medical services for people living with HIV.

In Manager review (APH):

HOPWA – US HUD

Housing opportunities for persons with AIDS people that experience homelessness or chronic homelessness.

ESG – US HUD

Focus on assisting people to quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness

CSBG -US HHS

Utilize funds for the reduction of poverty, the revitalization of communities and the empowerment of low-income families and individuals to become fully self-sufficient.



### Council Question and Answer

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**Meeting Date**

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### Council Question and Answer

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### Council Question and Answer

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**Meeting Date**

August 27, 2020

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### Council Question and Answer

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Additional Answer Information			

Approve an ordinance amending the Fiscal Year 2019-2020 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20190910-001) to accept and appropriate \$241,800 in grant funds from the State of Texas, Office of the Governor, Criminal Justice Division for the Sexual Assault Evidence Testing Project.

**QUESTION/ANSWER:** Council Member Alter's Office

*These funds will be added to the FY20 budget. Will all of these funds be expended before Oct. 1, or will the balance roll over and into an amendment for the FY21 budget?*

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### Council Question and Answer

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Item #64

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**QUESTION/ANSWER:** Council Member Tovo's Office

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Pending Austin Water implemented temperature monitoring at the treatment plants, service centers and major facilities to protect essential employees working to provide critical water services and maintain critical infrastructure during the COVID-19 pandemic. These temperature monitoring services were critical to ensuring the public health and safety of our community during the pandemic. These expenses will not be reimbursable through the CARES Act since Council did not allocate CARES funding for Austin Water. However, Austin Water has submitted these contract expenses to the Controller's Office for compilation for the City's possible reimbursement through FEMA. Decisions on whether these specific costs are reimbursable through FEMA would be made as they review and audit the City's submittal.



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## Air Support Unit (ASU)

### City of Austin - Austin Police Special Operations



The City of Austin has been awarded a grant from CAPCOG for the Tyler seats and fast rope system. This system is a bench type seat/cargo platform connecting externally to the landing gear on each side of the helicopter. The platform includes a connection for a fast rope system. This memo will set out the background for the grant, the anticipated and potential uses of the Tyler seat system, comparison to Starflight, and information about how the Air Support Unit has responded to emergencies in the last several years.

#### **Grant Background:**

The City of Austin Air Support Unit works closely with the CAPCOG and supports 10 counties around central Texas. These 10 counties share resources like training, equipment, and personnel. Sharing allows all of these counties to have access to resources they would not otherwise have due to cost and availability. Public Safety does not work in a silo and all of the 10 counties work together with these limited resources to help keep the public safe.

Each year, all of the 10 counties request additional resources from CAPCOG in the form of grant money. These coordinated requests help with making sure we do not unnecessarily duplicate items and resources within the region. The Tyler seats have been requested for the past two CAPCOG grant cycles, and in 2020 the funding became available. All 10 county representatives of CAPCOG agreed that the Tyler system was number one on the Grant list and CAPCOG has approved the funds. The CAPCOG committee tasked with reviewing grant applications evaluated the usefulness of these Tyler seats and determined the system would be a crucial asset to the Central Texas Region for public safety and non-public safety applications.

The grant for the Tyler seats fully funds the equipment. If the expenditure is not approved, the grant money will return to CAPCOG and the next requested item (not Tyler seats) would be funded to another county.

**Uses for the Tyler seat system:** The Tyler seat system will have several applications, including:

**Fire and Rescue**

1. Move 4 people (2 each side) and their equipment to locations that are unreachable to vehicles during disaster type situations. This includes fires, flooding, and other emergency locations.
2. Rescue 4 people at one time in areas that are about to be engulfed in fire or heavy flooding. This would be a land and assist rescue. This link is just one example adding this capability to Air1 can provide:  
<https://www.sfgate.com/california-wildfires/article/Woodward-Fire-Point-Reyes-Marin-helicopter-rescue-15507228.php>
3. The fast rope system will be used to deploy AFD rescue swimmers into tight locations. It can also be used to deploy EMS/AFD personnel to unreachable locations in and around Austin. AFD personnel can also repel to “hotspots” in fire areas.
4. The AS350 B3e was purchased with the support of AFD so that they would have a usable system for dropping water with the Bambi bucket (180 gallons of water). It was also supported as a conveyance to get into needed areas in a hurry. Or to get public safety personnel out very quickly.
5. The Tyler system also allows for extra equipment, lifesaving items and supplies to be dropped off for deployment quickly without having to land. This also includes areas not suitable/unsafe to land. This covers transportation of food, water, saws, litters, and numerous other items for emergency use.
6. The Tyler system can be used and set up to carry two litters transporting two individuals in an emergency. This can be an assist to Starflight when there are numerous casualties that need to be moved in life or death situations.

**City of Austin**

1. Tyler seat configuration can assist with close inspection surveys of city-owned property from outside of the aircraft. Observation of facilities, examining power structures, and inspection of antennas owned by the city are just a few examples.
2. Tyler seats are designed to make any public safety mission easier, safer and more efficient of tax payer’s money.

**Austin Police Department**

1. Tyler seats have been developed with a number of law enforcement agencies for rapid insertion/extraction of SWAT, dive team, crime scene investigation, and emergency evacuation response.
2. The fast rope system would be used for remote locations where landing or driving is not an option, including the roof of high-rise buildings. The Tyler seat system, including the 40 foot fast rope, will permit law enforcement or other first responders to access areas

where helicopters cannot land because of tall antennas, AC units, or other large obstacles.

### **Comparison to Starflight:**

While Starflight operations are invaluable, there are important advantages to the City of Austin having the Tyler seat system for its Air1 helicopter.

Starflight, although it serves the City of Austin, is a Travis County owned resource that is primarily focused on medical missions. Starflight does not have Tyler seat system and the type of aircraft operated by Starflight does not allow for Tyler seat system installation. Accordingly, acquisition and installation of the Tyler seat system on the City of Austin Air1 helicopter would bring unique capabilities to the city of Austin and surrounding 10 counties.

While Starflight is incredible resource and organization, it cannot be everywhere all the time. Acquiring the Tyler seat system for the City Air1 helicopter would bring greater availability of helicopter-based fire and rescue services to the City of Austin and surrounding 10 county area.

### **ASU Unit Recent-year Statistics for Search and Rescue:**

Each call that is requested is evaluated by the air crew and won't respond if we do not have the capabilities or unsafe. The data base only has stats for the past three years.

- Since April 1 of 2017 APD Air 1 has assisted AFD and COG requested Fire Departments 26 times.
- Since April 1, 2017, the Air Support Unit has assisted in locating lost or missing individuals 108 times.
- AFD is currently coordinating with APD ASU about the possibility of conducting more evacuations from high risk areas. Specifically, the two departments are exploring greater cooperation in moving individuals that are unable to get out of the way of fires and flooding. The Tyler seat system would significantly enhance the ability to do this work, which has not been attempted in the past without the availability of the Tyler seat system.

Please note the above statistics do not include incidents that the City of Austin Air1 helicopter could have responded to if the Tyler seat system had been installed. Air Support does not track these of incidents.