



July 29, 2021

Questions and Answers Report



- Mayor Steve Adler
- Council Member Natasha Harper-Madison, District 1
- Council Member Vanessa Fuentes, District 2
- Council Member Sabino "Pio" Renteria, District 3
- Council Member Gregorio Casar, District 4
- Council Member Ann Kitchen, District 5
- Council Member Mackenzie Kelly, 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 #4: Authorize negotiation and execution of amended service schedules, including revised pricing and revenue to the City, to the single-stream recycling contracts with Texas Disposal Systems and Balcones Resources.

COUNCIL MEMBER TOVO'S OFFICE

- 1) *This RCA indicates that ARR intends to begin negotiations to amend the existing agreements "with the goal of creating shared risk and reward." Please briefly elaborate on the rationale for this proposed action.*

The City of Austin is currently in a 20-year master agreement with Balcones Resources and Texas Disposal Systems for the City's Single Stream Residential Recycling Processing. The agreements require the vendors to receive collected materials intended for recycling.

The long-term agreements stipulate periodic contract resets (every five years). The first reset occurred in 2016 and we are now in the second reset period. The reset will establish the award percent which is the percent of City recyclable material delivered to each vendor for the time period from the second reset to the third reset. The parties also renegotiate price, revenue share, and other service schedule terms as part of the reset process.

A key element of the contracts are the processing fees per ton that the City pays the vendors for processing recyclable materials through facilities, known as Materials Recovery Facilities (MRFs), as well as the revenue the vendors receive from selling the City's recyclable material. One of the goals of the reset includes being able to share in the benefits (revenue) from market prices. Market prices are dynamic and will experience gains (and losses) and so while processing fees are necessary to help make MRFs whole and protect their ability to provide services, sharing the revenue from upswings in market prices is our expectation. Conversely, downswings in market prices create risk for both parties to the contracts. We intend to negotiate a fair contract in which the City and the vendors share in both the risk and the reward.

Item #7: Approve a resolution authorizing negotiation and execution of a Local On-System Improvement Project agreement with the Texas Department of Transportation for the construction of intersection and operational improvements on US 183 at Metropolis Drive that will allow access to a new fuel storage facility, for an additional \$748,939 resulting in a total contract amount not to exceed \$799,890.

COUNCIL MEMBER FUENTES'S OFFICE

- 1) *All City costs, including overruns, related to this Local On-System Improvement Project will be reimbursed by AUS Fuel Company LLC (the Tenant) who is responsible for the total contract amount of all improvements and potential changes under the terms of the Tenant's contract with the Department of Aviation. Why does the Tenant not then contract directly with TxDOT for this improvement project?*

This project is located on Airport property, and therefore the required contracting entity with TXDOT for the funding of improvements within the State Right of Way is the property owner (City of Austin). If AUS Fuel Company LLC was the property owner, TXDOT would directly contract with that property owner entity.

Item #9: Authorize negotiation and execution of an amendment to the professional services agreement with K Friese & Associates, Inc. (WBE), Request for Qualifications Solicitation No. CLMP246 to provide engineering services for South Area and Northwest Area Lift Station Improvements in the amount of \$86,000, for a total contract amount not to exceed \$3,586,000. [Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 9.77% MBE and 67.95% WBE.]

COUNCIL MEMBER ALTER'S OFFICE

- 1) *Please provide the recommendation from the City's Change Control Committee.*

The Change Control Committee vote has concluded, and the request was approved by majority consent. No request(s) for a meeting was received by any Voting Member.

Item #9: Authorize negotiation and execution of an amendment to the professional services agreement with K Friese & Associates, Inc. (WBE), Request for Qualifications Solicitation No. CLMP246 to provide engineering services for South Area and Northwest Area Lift Station Improvements in the amount of \$86,000, for a total contract amount not to exceed \$3,586,000.

COUNCIL MEMBER FUENTES'S OFFICE

- 1) *Provide the list of Austin Water lift stations in South and Northwest Austin requiring engineering services for improvements.*

The lift stations listed have all undergone engineering design work except Four Points #1 Lift Station. They are all included in Austin Water's 5-year Capital Improvement Plan. When projects are ready for construction, future Council approval of construction phase contracts will be needed to complete those projects.

Northwest Area Lift Station Improvements

- 3168.064 Four Points #1 Lift Station
- 3168.074 Rock Harbor Force Main and Four Points #2 Demolition
- 3168.075 Great Hills Lift Station
- 3168.085 Boulder Lane Lift Station
- 3168.086 Spring Lake #2 Lift Station
- 3168.089 McNeil Lift Station
- 3168.118 Four Points Center Lift Station
- 3168.183 TX Plume Lift Station

South Area Lift Station Improvements

- 3168.033 Bluffington #1 Force Main Assessment

- 3168.059 Pearce Lane Upgrades
- 3168.070 Springfield Force Main Rehab
- 3168.076 Barton Creek Plaza
- 3168.087 Travis Country Lift Station Assessment
- 3168.125 Springfield Lift Station
- 3168.184 Bee Caves Force Main Assessment
- 3168.185 Bluffington #2 Force Main Assessment
- 3168.186 Bend O'River Force Main Re-route (Study)
- 3168.188 Treemont Force Main Assessment

Item #11: Authorize an amendment to the construction contract with DIJ Construction, Inc., for the 2016 Bond-ATD Markings and Removal IDIQ - Rebid contract for additional funding in the amount of \$1,681,655 for a total contract amount not to exceed \$8,408,275.

COUNCIL MEMBER FUENTES'S OFFICE

1) *ATD is requesting a 25% increase to the original not-to-exceed contract amount. This contract was executed on July 24, 2018, for the 2016 Mobility Bond, Local Mobility component, to provide markings, signs and the installation of other devices to support the Bicycle Program, Sidewalk Program, Safe Routes to School Program, the Transit Speed and Reliability Program, and the Speed Management Program.*

○ *In which districts has the work of this contract been focused?*

Work has been performed citywide in all Council Districts and includes both crosswalk and arterial maintenance as well as new mobility projects. Work performed in service to the 2016 Mobility Bond Local Mobility Program's Safe Routes to School, Bikeways programs as well as the program preceding Speed Management called Local Area Traffic Management (LATM) includes the installation of new and improved pedestrian crossings, traffic calming devices, protected bike lanes and markings support for multiphase projects such as shared use pathways and protected intersections. Representative projects include:

- District 1 - Alexander Avenue (between Manor Road and 17th Street)
- District 2 –Teri Rd. multimodal improvement project (IH-35 to Nuckols Crossing)
- District 3 – Pleasant Valley Road (between Willow Drive and Lakeshore Boulevard)
- District 4 – Guadalupe Street (Koenig Ln to Airport Blvd)
- District 5 – Stassney Lane (West Gate Blvd to Congress Ave)
- District 6 – Various improved crosswalk markings around schools (also citywide)
- District 7 – Romeria Drive (Lamar Blvd to Burnet Rd)
- District 8 – Escarpment Boulevard and La Crosse Avenue
- District 9 – Cherrywood Road
- District 10 – Lake Austin Boulevard (Atlanta St. to Enfield Rd)

○ *In which district will the 25% increase in funding be directed?*

Funding will be directed Citywide to meet accelerated timelines for 2016, 2018 and 2020 Bond programs, often with projects that serve multiple CIP programs. Future work is expected to also serve the Transit Speed and Reliability and Speed Management Programs which were not previously funded under the 2016 Mobility Bond but are funded with the 2018 and 2020 Bond Programs. For more information on representative projects that will likely be funded with this contract, visit www.austintexas.gov/mobilityannualplan.

Item #15: Authorize negotiation and execution of an amendment to the professional services agreement with KimleyHorn and Associates, Inc., for engineering services for the City of Austin Street Impact Fee project in the amount of \$139,431.67, for a total contract amount not to exceed \$1,612,378.43. [Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 12.10% MBE and 22.61% WBE.]

COUNCIL MEMBER TOVO'S OFFICE

1) *Is the total cost of this work recoverable through fees?*

The total cost of work is not recoverable through the Street Impact fee or through development mitigation fees. Funding using available fund balance in the FY20/21 ATD Operating Budget is proposed for use to cover this amendment. ATD is an enterprise department, and its operating budget is collected from a range of fees, including the transportation user fee (TUF). These sources of budget will be used to fund the amendment. Funding from the General Fund or other fund resource is not required.

As directed by the City Council on December 10, 2020, staff worked with the stakeholders to answer questions on the Transportation Criteria Manual (TCM) update and Street Impact Fee (SIF) through multiple public review and information sessions.

Staff conducted robust public review of the TCM as well as a collaborative interdepartmental review, both of which garnered valuable feedback. Staff has used additional time and resources to ensure all the public feedback were addressed with due diligence and incorporated in the TCM update as deemed appropriate.

Funding authority by way of this amendment is needed to incorporate updates to the TCM associated with the Street Impact Fee ordinance, to conduct additional public information sessions/workshops on the SIF approach and to create effective, public-facing and user-friendly resources for successful roll-out of the Street Impact Fee Program as directed by Council.

Item #19: Authorize award and execution of a construction contract with PGC General Contractors, LLC., for the Northwest Area Lift Station Improvements: Spring Lake #2 project for a total contract amount not to exceed \$344,000. (Related to item 21-2245) [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 9.59% MBE and 37.79% WBE participation.]

COUNCIL MEMBER KELLY'S OFFICE

1) *Was the contract with Balcones County Club golf course negotiated in 1999?*

The current contract between the City and the Balcones Country Club Membership Association was executed in March 2005. To date there have been no amendments to this agreement. The 2005 agreement replaced the earlier agreement entered into in 1997.

2) *Who was involved in that process from the community?*

The 2005 agreement was signed by the President of the Board of Directors of the Balcones Country Club Membership Association on behalf of their club members.

3) *What is the duration of the contract and how much non-potable reclaimed water are we obligated to provide?*

The term of the contract is for 40 years so it will expire in 2045. The wastewater treatment plant is permitted by TCEQ to produce up to 292,000 gallons of treated wastewater per day.

4) *Could that be used for other purposes?*

The Balcones Village Wastewater Treatment Plant is a zero discharge plant, meaning it does not discharge any treated wastewater to the waters of the State. The treated wastewater (reclaimed water) is spray irrigated on the golf course as required by the plant's TCEQ permit. Other purposes for the reclaimed water would be dependent on availability of reclaimed water. During the summer, the Balcones Country Club's golf course uses all the reclaimed water. The contract to repair the Spring Lake lift station, being sought in this Council agenda item, will provide additional wastewater to the plant, and therefore additional reclaimed water. However, the golf course's projected reclaimed water use shows that they would be able to use all of the reclaimed water during the summer months. Any additional uses of the wastewater produced by this treatment plant would need to be approved through an amendment to the permit TCEQ has issued to the City for this plant.

5) *By restoring the lift station, would this increase the current waste water capacity that the golf course currently can receive or just allow the plant to produce the current amount of reclaimed water that it does today?*

Yes, the Spring Lake Lift Station project will provide additional wastewater coming into the Balcones Village Wastewater Treatment Plant. This will provide additional reclaimed water volume that would be available for the golf course, if needed.

6) *During the construction, which allows for 270 days to complete, can the golf course still have access to the current flow of reclaimed water? Will there be any down time?*

There are no planned plant shutdowns to complete the Spring Lake Lift Station project. During the entire construction period, the golf course should still be able to access the current flow of reclaimed water.

Item #21: Approve a resolution finding the use of the Construction Manager at Risk method of contracting, as authorized by Subchapter F, Chapter 2269 of the Texas Government Code, as the project delivery method that provides the best value to the City for the Barbara Jordan Terminal (BJT)

Optimization project to build additional gate infrastructure for Austin Bergstrom International Airport. (Note: MBE/WBE goals will be established prior to issuance of this solicitation.)

COUNCIL MEMBER TOVO'S OFFICE

- 1) *Please explain what "remote passenger hardstands (Bus Gates)" are. What other gate infrastructure will be undertaken?*

Bus Gates – Bus Gates are operations from a dedicated holdroom for passengers to board on and disembark from buses which transports passengers to and from aircraft located on hardstand positions on ramp areas. The Bus Gates will be utilized until the new Concourse B gates are operational.

Contact Gates – Another gate infrastructure project will provide three new contact gates on the west end of the Barbara Jordan Terminal.

Item #23: Authorize negotiation and execution of agreements for bridge housing services with A New Entry, Inc. for a total contract amount not to exceed \$395,797 and The Other Ones Foundation, Inc. for a total contract amount not to exceed \$521,180, each for a thirty-seven (37) month term.

COUNCIL MEMBER POOL'S OFFICE

- 1) *Can one of you provide me with more information on how the funding will be used for "workforce opportunities" – is this for TOOF's Workforce First program?*

The primary purpose of the agreement with The Other Ones Foundation, Inc. (TOOF) is to provide bridge housing for individuals experiencing homelessness served through DACC's Intensive Case Management Program. Bridge housing units will provide individuals a safe and supported place to stay while DACC works to identify long-term housing solutions for program participants.

- 2) *How will the \$521,180 for TOOF be divided between "non-congregate shelter units, targeted case management, access to basic needs, and workforce opportunities?" I want to be sure that our team has a firm grasp on how this funding will be used by TOOF.*

The \$521,180 is for a 37-month agreement and will cover approximately ten non-congregate shelter units. DACC will be the primary case management support for individuals served through this program, and TOOF will provide onsite support to help each client in their journey toward long-term stability. Through this agreement, TOOF will provide bridge housing, two meals per day, twenty four hour security, community engagement activities, access to hygiene items and other basic needs, and service coordination. The budget will be finalized during the negotiation process, and prioritization will be placed on the number of units and the necessary services to support individuals served through the program.

TOOF offers clients the opportunity to earn a living wage through onsite work, supervised by a Work Crew Supervisor. These opportunities assist with building soft employment skills and community building skills that will benefit them in their permanent housing placement. Participation in workforce opportunities will be available for DACC clients, but is not required for all clients served through this program. Some individuals referred may have physical and/or mental health issues that are a barrier to participating in workforce opportunities, but they will benefit from having access to bridge housing while DACC works to secure a long-term housing solution.

Item #23: Authorize negotiation and execution of agreements for bridge housing services with A New Entry, Inc. for a total contract amount not to exceed \$395,797 and The Other Ones Foundation, Inc. for a total contract amount not to exceed \$521,180, each for a thirty-seven (37) month term.

COUNCIL MEMBER KELLY'S OFFICE

1) *What is the anticipated location for this bridge housing?*

There are two bridge housing programs being requested for approval in this item. The first program will be provided by A New Entry, Inc. with the bridge housing units located at their current Webberville Transitional Housing facility at 1808 Webberville Rd., Austin, TX 78721. The second program will be provided by The Other Ones Foundation, Inc. with the bridge housing units located at the State of Texas sanctioned homeless encampment, Esperanza Community, located at 780 S Hwy 183, Austin, TX 78741.

2) *What history does The Other Ones Foundation, Inc. have with the city?*

The Other Ones Foundation, Inc. (TOOF) has operated as a supportive work program funded by the City of Austin through Austin Public Health, called Workforce First, which offers a dignified wage of \$15 per hour to individuals experiencing homelessness for large-scale environmental clean-up and invasive species removal, since 2017. Throughout the COVID19 pandemic response, TOOF has operated a Mobile Hygiene Clinic which is comprised of a fleet of shower trailers that deliver essential services directly to Austin's homeless population in partnership with the City of Austin. Per TOOF, they have participated in numerous ongoing unfunded partnerships with the City to address homelessness in a client-center, compassionate manner since their inception.

3) *Are there stated goals associated with this agreement?*

Performance measures will be negotiated with the identified bridge housing providers. Required performance measures included in the competitive solicitation are:

- Percent of clients housed within 72 hours of referral – expected target is over 90%
- Percent of clients who exit bridge housing into stable housing – expected target is over 90%
- Number of bed-days available annually – TOOF proposed 4,380 and A New Entry proposed 1,825

Item #26: Authorize negotiation and execution of an exclusive negotiation agreement with Greystar Development Central, LLC, for terms governing a master developer contract for the redevelopment of 7211 N IH 35 (the former Home Depot) and 7309 N IH 35 (the former Chrysler Dealership), known as the St. John Site.

COUNCIL MEMBER KELLY'S OFFICE

1) *When the property was acquired by the City more than a decade ago, how much was paid for it?*

Staff Response: 7211 IH 35 (former Home Depot) was purchased in 2008 using 2006 General Obligation Bonds allocated to expand public safety facilities in Austin for \$8.1 million. In 2011, the adjacent parcel located at 7309 N IH 35 (former Chrysler Dealership) was purchased using the same 2006 General Obligation Bonds for \$2.9 million.

- 2) *Is it correct that the payment was made from General Obligation bond funds? How much was the total bond issuance for the item approved by the voters to provide a police substation?*

Staff Response: In November 2006, the City of Austin voters approved a \$58.1 million bond package to support the improvement of public safety facilities . 7211 IH 35 (former Home Depot) was purchased in 2008 using 2006 General Obligation Bonds allocated to expand public safety facilities in Austin. In 2011, the adjacent parcel located at 7309 N IH 35 (former Chrysler Dealership) was purchased using the same 2006 General Obligation Bonds.

Ballot Language: "The issuance of \$58,100,000 in tax supported General Obligation Bonds and Notes for constructing, renovating, improving, and equipping public safety facilities, including, without limitation, a public safety training facility, police stations, emergency medical services buildings and facilities, a municipal courthouse, an animal shelter, and other related facilities and acquiring land and interests in land and property necessary to do so; and the levy of a tax sufficient to pay for the bonds and notes."

- 3) *How much will the winning proposers pay the City for the property? Will those funds be from the private sector (Greystar), the Housing Authority or from what entity?*

Staff Response: The amount of bond defeasance as stated in the Request for Proposals at the time of its publishing is \$10,739,375. This is the minimum amount required as upfront payment for the properties. Greystar and HACA's proposal meets the minimum requirement to defease the City's debt.

- 4) *Will the transaction be a sale or lease?*

Staff Response: The RFP stated the City would explore either a sale or lease of the property through a development partnership. Final conveyance of the property will be negotiated as part of the Master Development Agreement and brought back for Council approval.

- 5) *If a sale, will there be a lump sum payment or installment payments? If a lease, for how long and at what rate will payments be made?*

Staff Response: The RFP required an upfront payment of \$10,739,375 to defease the remaining bond debt on the property regardless of sale or lease structure.

- 6) *It's been said the bonds used to fund the purchase must be defeased (paid off) for the property to be used permanently for other than public safety. If the transaction is to be a lease, since there won't be a lump sum payment from which to pay them, how will the bonds be paid off?*

Staff Response: A lease could be structured to address this upfront payment.

- 7) *Who will own the property when the transaction is completed? Greystar, Housing Authority, some other entity?*

Staff Response: Final ownership structure of the property will be addressed during negotiations with Greystar and HACA.

8) *Will the property be added to the tax rolls once the transaction is completed?*

Staff Response: The City will negotiate with the preferred vendor on sale, lease or other type of ownership structure that will further the vision and maximize community benefits.

9) *It is my understanding that an Open Records Request was made back in May for any document that establishes the legal basis for stating that the bonds must be paid off if the property is not to be used for public safety. I also understand that as of today, no such explanation has been furnished and that in July the Law Department asked the Attorney General to permit that legal opinion to NOT be disclosed to the requester. Is this correct?*

The Texas Public Information Act provides an exception for attorney-client communications as attorney advice is considered confidential. However, to protect this confidential information, governmental entities must seek an opinion from the Office of the Texas Attorney General.

A public information request regarding the St. John's property was submitted on May 20, 2021. The Law Department wrote to the Attorney General to withhold attorney-client communications from release as authorized by the Public Information Act. At this time the Law Department is reviewing the public information request with City Departments to ensure that all releasable information is being provided. The City's website concerning the St. Johns property provides information to the public regarding the need to pay off the existing bond debt.

10) *How much will the rents be for each of the three classifications of affordable housing?*

Staff Response: Income restricted units will be affordable based on federal affordable housing guidelines as a percent of median family income. The general breakdown is as follows:

- 560 total housing units with 280 (50%) income-restricted affordable units at an average of 57% Median Family Income (MFI);
- Mix of 112 units at 50% MFI, 141 units at 60% MFI, and 27 units at 70% MFI;

11) *Is the proposal we are going to be voting on final or negotiable?*

Staff Response: Item #26 on the 07/29/2021 Council Agenda requests Council Action to authorize negotiation and execution of an Exclusive Negotiating Agreement that will provide the framework for negotiating the terms for the master development agreement that will govern the development of the property.

Item #27: Approve a resolution adopting the East Sixth Street Public Improvement District Service and Assessment Plan and Budget update for 2022. Related to Item #28.

COUNCIL MEMBER ALTER'S OFFICE

- 1) *Several of the PID items mention that Travis County won't adjust property values in 2022 again. How is it possible that they can fail to adjust property values for another year? I see this on the RCA for Item #27, which reads: "Travis Central Appraisal District has stated it will not adjust property values for 2022; thus, the total assessment is subject to change only due to protests by property owners."*

At the time the data was captured for these assessments, Travis Central Appraisal District (TCAD) had not yet finalized values for the properties in the Downtown, East Sixth Street and South Congress PIDs. These assessments are on the agenda now so that we can provide the rolls to Travis County by September 1 for collection with the property taxes. Any adjustments made to the property value by TCAD, including protests and exemptions, will be used to adjust the 2022 assessments for the PIDs.

- 2) Is the appraisal district adjusting property values this year or not? If not, how can they fail to do that a second year?

Pending

Item #29: Approve a resolution adopting the South Congress Preservation and Improvement District Service and Assessment Plan and Budget update for 2022. Related to Item #30.

COUNCIL MEMBER ALTER'S OFFICE

- 1) *Several of the PID items mention that Travis County won't adjust property values in 2022 again. How is it possible that they can fail to adjust property values for another year? I see this on the RCA for Item #27, which reads: "Travis Central Appraisal District has stated it will not adjust property values for 2022; thus, the total assessment is subject to change only due to protests by property owners."*

At the time the data was captured for these assessments, Travis Central Appraisal District (TCAD) had not yet finalized values for the properties in the Downtown, East Sixth Street and South Congress PIDs. These assessments are on the agenda now so that we can provide the rolls to Travis County by September 1 for collection with the property taxes. Any adjustments made to the property value by TCAD, including protests and exemptions, will be used to adjust the 2022 assessments for the PIDs.

- 2) Is the appraisal district adjusting property values this year or not? If not, how can they fail to do that a second year?

Pending

Item #31: Approve a resolution nominating AECOM Technical Services, Inc. for designation by the Governor's Office of Economic Development and Tourism as a single Texas Enterprise Project in accordance with Texas Government Code Chapter 2303.

COUNCIL MEMBER TOVO'S OFFICE

- 1) *How many Enterprise Project designations has the City of Austin nominated of its allowable every 2 years?*

The City of Austin is allowed 9 nominations over a 2 –year biennium. In the September 2019 - August 2021 biennium, 8 nominations were approved by the Austin City Council.

If Items No. 31 & 32 are approved by Council, these would apply towards 2 of the 9 for the September 2021 - August 2023 biennium.

Item #32: Approve a resolution nominating Encore Medical, L.P. for designation by the Governor's Office of Economic Development and Tourism as a single Texas Enterprise Project in accordance with Texas Government Code Chapter 2303.

COUNCIL MEMBER TOVO’S OFFICE

- 1) *How many Enterprise Project designations has the City of Austin nominated of its allowable every 2 years?*

The City of Austin is allowed 9 nominations over a 2 –year biennium. In the September 2019 - August 2021 biennium, 8 nominations were approved by the Austin City Council.

If Items No. 31 & 32 are approved by Council, these would apply towards 2 of the 9 for the September 2021 - August 2023 biennium.

Item #36: Ratify a contract amendment with the Better Business Bureau to provide additional grants to Arts & Culture Non-Profit organizations in the amount of \$2,090,000, for a total contract amount not to exceed \$32,098,025.

COUNCIL MEMBER KELLY’S OFFICE

- 1) *Have there been any non-profits specifically identified?*

No. The Austin Arts & Culture Non-Profit Relief Grant will award one-time unrestricted \$20,000 grants through a competitive application process. The application opened on July 14 and closes August 2 at 5 p.m. The grant application, eligibility criteria, and other information is available online at www.atxrecovers.com. Per Council [Resolution No. 20210610-092](#), organizations who did not receive previous City Non-Profit relief funds will receive additional points.

- 2) *How will the money be equitably distributed among the council districts?*

To ensure an equitable distribution of funds, every application will be evaluated against a scoring matrix that includes criteria for need and equity (see Table A). All program funds will be distributed to applicants that score the highest according to the matrix. City staff have published open data dashboards for all grant programs on www.atxrecovers.com (see “Economic Impact” tab). Staff will publish an open data dashboard for this program too, and the dashboard will include information regarding the number of applicants and awardees by council district.

Category	Criteria	Percentile
Equity	<ul style="list-style-type: none"> • Board Demographics (Race/ethnicity; Gender; LGBTQIA; Disability) • Demographics of Executive Director or person serving in a leadership role (Race/ethnicity; Gender; LGBTQIA; Disability; Veteran) 	40%
Organization	<ul style="list-style-type: none"> • Number of Employees (FTE - Full-Time Equivalent) 	31%

	<ul style="list-style-type: none"> • Annual Revenues • Populations served • Operates a venue/creative space 	
Urgency	<ul style="list-style-type: none"> • Effects from COVID-19 pandemic • Has not received any other City funding • Has not received Shuttered Venue Operations Grant program 	29%
TOTAL		100%

Item #43: Approve a resolution authorizing the City Manager and the Chief Financial Officer to execute the Interlocal Agreement for Terms of Joint Powers Agreement on Transfer of “November 2020 Proposition A” Property Tax Revenue with the Austin Transit Partnership as part of the implementation of Project Connect.

COUNCIL MEMBER ALTER’S OFFICE

- 1) Please present the apportionment formula in the case of a successful TRE via an example of real numbers as if we had a TRE this year and do so with an equation format so that Council may see the example in practice.

	FY22 Proposed		Theoretical One-Cent Tax Rate Election	Inclusive of Successful Theoretical One-Cent Tax Rate Election	
Total Maintenance & Operations Tax Rate	\$0.4292		\$0.0100	\$0.4392	Total M&O Rate increase by one cent
Total Maintenance & Operations Tax Levy	\$775.6M			\$793.7M	Total M&O Tax Levy increases by \$18.1M
General Fund Share of M&O Revenue	79.21%	Represents FY21 General Fund M&O Rate of \$0.3334 divided by City's Total FY21 M&O Rate of \$0.4209		79.69%	Represents new Apportioned FY22 General Fund M&O Rate of \$0.3500 divided by City's new Total FY22 M&O Rate of \$0.4392
Apportioned General Fund M&O Rate	\$0.3400	General Fund % Share of M&O Revenue X Total M&O Rate	\$0.0100	\$0.3500	Apportioned General Fund M&O Rate increases by one cent
General Fund M&O Tax Levy	\$614.4M			\$632.5M	General Fund M&O Tax Levy increases by \$18.1M
Austin Transit Partnership Share of M&O Revenue	20.79%	Represents \$0.0875 tax rate approved at November 2020 election divided by		20.31%	Represents unchanged FY22 ATP M&O Rate of \$0.0892 divided by City's new Total FY22

		City's Total FY21 M&O Rate of \$0.4209			M&O Rate of \$0.4392
Apportioned ATP M&O Rate	\$0.0892	ATP % Share of M&O Revenue X Total M&O Rate		\$0.0892	Apportioned ATP M&O Rate remains the same
ATP M&O Tax Levy	\$161.2M			\$161.2M	ATP M&O Tax Levy is unchanged

*The allocation percentages would remain the same as long as there is not a TRE and would only be recalculated as a result of a TRE, thus both entities benefit from value changes and neither is harmed by tax rate changes.

- 2) *Please detail what the first payment to ATP will include. Based on backup, it appears the payment will include what otherwise would be two payments - Oct. 1, 2020 to January 31, 2021 and February 1, 2021 thru June 30, 2021. Is that correct?*

That is correct, the payment will cover taxes collected through June 30, 2021 for tax year 2020.

TAX YEAR 2020					
			Maintenance and Operations	Debt Service	Total
		Property Tax Rate	0.4209	0.1126	0.5335
Step 1		Total City Property Tax Revenue Collected (includes P&I)	\$ 738,916,109	\$ 197,676,298	\$ 936,592,407
Step 2	(less)	TIRZ and HPZ capture revenue	\$ (18,141,506)	\$ (4,853,251)	\$ (22,994,757)
Step 3	(less)	Chapter 380 Requirements	\$ (6,077,508)	\$ (1,625,867)	\$ (7,703,375)
Step 4	=	Adjusted Total Property Tax Revenue	\$ 714,697,095	\$ 191,197,180	\$ 905,894,275
Step 5	(less)	Share of revenue associated with annual debt service tax rate		\$ (191,197,180)	\$ (191,197,180)
Step 6	=	Adjusted Total M&O Property Tax Revenue	\$ 714,697,095	\$ -	\$ 714,697,095
Step 7	X	ATP Share	20.789%	0.000%	20.789%
Step 8	=	ATP Property Tax Revenue	\$ 148,578,379	\$ -	\$ 148,578,379

- 3) *Under which agreement and how do we delineate how some of the Project Connect funding returns to the city to pay for the COA's Project Connect office and/or displacement efforts?*

The executed interlocal between the City and ATP delineates the process for the city obtaining funding for anti-displacement in accordance with the Contract with the Voters. That interlocal can be incorporated by reference into the Joint Powers Agreement (JPA). The executed interlocal between the City and the ATP delineates the process through September 30th 2021 for funding of the Project Connect Office. City staff is working on language to continue the process for funding the Project Connect Office to be included in the JPA if all parties agree, or to extend the interlocal agreement and incorporate it by reference into the JPA.

- 4) *Can you please explain how the item 43 interlocal relates to the City of Austin staffing requirements to assist in implementing Project Connect?*

At its June Board meeting, ATP approved an Inter-Local Agreement with the City that lays out the mechanics, process and procedures for the transfer of the November 2020 Proposition A Property Tax revenue, consistent with Contract with the Voters. Item #43 on the City Council agenda is the City action on this same item.

ATP and City staff have been collaboratively working together on the Project Connect program, and in fact this past March, an ILA was approved committing ATP to fund the necessary start-up technical resources for City staff to support the implementation of the Project Connect transit projects for the NEPA process, utility coordination, design review and permitting efforts. As we look ahead, ATP is committed to continue to fund the required City resources to ensure the program advances; ATP views the Project Connect support team at the City as a key, integral partner in the delivery of the Project Connect program. ATP/City staff are currently working together on making a final determination of these technical resource needs, for not only the upcoming fiscal year, but beyond. We anticipate finalizing those needs and bringing back to the ATP Board and City Council an additional agreement in the Fall.

Item #43: Approve a resolution authorizing the City Manager and the Chief Financial Officer to execute the Interlocal Agreement for Terms of Joint Powers Agreement on Transfer of 'November 2020 Proposition A' Property Tax Revenue with the Austin Transit Partnership as part of the implementation of Project Connect.

COUNCIL MEMBER KELLY'S OFFICE

- 1) *What authority will the City Council have for budgeting the funds once they are transferred?*
The City Council as a body has no authority over the budgeting of ATP funds once they are transferred. The ATP budget must be approved by the ATP Board. The City Council has one appointed seat on the ATP Board.
- 2) *Is Transit Partners bound by the same Purchasing Act regarding bidding for goods and services?*
Austin Transit Partnership must follow State purchasing rules, but do not have to comply with additional purchasing rules implemented by the City of Austin.
- 3) *Are the Transit Partners subject to the same open records and open meetings rules as are required for the City?*
Yes

Item #43: Approve a resolution authorizing the City Manager and the Chief Financial Officer to execute the Interlocal Agreement for Terms of Joint Powers Agreement on Transfer of 'November 2020 Proposition A' Property Tax Revenue with the Austin Transit Partnership as part of the implementation of Project Connect.

COUNCIL MEMBER TOVO'S OFFICE

- 1) *Prior to the amendment of an existing TIRZ, or approval of any future TIRZ or HPZ, the City shall require the consent of ATP only as to whether the ATP share of Prop A property tax revenue can be included in the capture rate of the TIRZ or HPZ. However, the City may create a TIRZ on city owned property without the consent of ATP including a TIRZ in which city property is the majority (50.1%) of the acres included in the zone.*
This provision requires the City to ask the ATP whether or not it wants to have a portion of its voter approved dedicated taxes included in the tax increment financing in the same manner as the City would have to ask taxing entities such as Travis County. If ATP

does not agree to do this, than the calculations for available tax increment would not include the part of City taxes that are provided to the ATP. Since State law does not recognize the ATP as a taxing entity apart from the City, the City would have to establish the incremental value capture at an appropriate percentage that recognizes the City's obligation to pay ATP its share of the tax revenue. For any TIRZ where more than 50% of the TIRZ land area is owned by the City, the City does have the option to obligate ATP's portion of the incremental tax revenue to the TIF plan. As TIRZs are being developed, including the South Central Waterfront, the plans for improvements will need to account for this potential adjustment in incremental revenue.

Item #46: Approve an ordinance amending the Fiscal Year 2020-2021 Housing and Planning Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$500,000 from the Texas Department of Housing and Community Affairs, Texas Emergency Mortgage Assistance Program to provide mortgage assistance designed to help households respond to and recover from the impacts of the COVID-19 pandemic.

COUNCIL MEMBER ALTER'S OFFICE

- 1) *Please provide additional details on the intended use and target for these funds and whether any additional funding sources will be combined with this allocation.*

Funding will be used to provide mortgage assistance to eligible households. Eligibility requirements and maximum assistance is guided by the TEMAP program and governed by CDBG CARES funding source. The program can pay up to six months of an eligible homeowner's mortgage, including payments in arrears, with at least one of those months covering a future month. Eligible households are those at or below 80% Area Median Income who have been economically impacted by COVID-19. Eligible households' monthly mortgage cannot exceed 150% of the HUD-established Fair Market Rent.

The City of Austin has been awarded \$500,000 in funding through the TEMAP program. City Council and AHFC action on July 29, 2021 will enable staff to launch the program on August 2, 2021. As additional federal funds become available, staff will consider program expansion. There are no additional funding sources available at this time.

Item #46: Approve an ordinance amending the Fiscal Year 2020-2021 Housing and Planning Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$500,000 from the Texas Department of Housing and Community Affairs, Texas Emergency Mortgage Assistance Program to provide mortgage assistance designed to help households respond to and recover from the impacts of the COVID-19 pandemic.

COUNCIL MEMBER FUENTES'S OFFICE

- 1) *This action will accept and appropriate \$500,000 from the TDHCA, Texas Emergency Mortgage Assistance Program (TEMAP). The TEMAP provides mortgage assistance to income-eligible homeowners. The program can pay up to six consecutive months of all or part of an eligible household's mortgage payments, including mortgage arrears, with at least one of those months covering a future monthly mortgage payment.*
 - a. *What is the application process for this program?*

Applications will be accepted online through our application portal <https://www.austintexas.gov/ATXMA> Please note that the application portal will not go live until August 2, 2021.

b. What is the formula used to award this relief?

Eligibility requirements and maximum assistance is guided by the TEMAP program and governed by CDBG CARES funding source. The program can pay up to six months of an eligible homeowner's mortgage, including payments in arrears, with at least one of those months covering a future month. Eligible households are those at or below 80% Area Median Income who have been economically impacted by COVID-19. Eligible households' monthly mortgage cannot exceed 150% of the HUD-established Fair Market Rent.

c. To date, how much in federal funding through the TEMAP has the City received?

The City of Austin has been awarded \$500,000 in funding through the TEMAP program. City Council and AHFC action on July 29, 2021 will enable staff to launch the program on August 2, 2021.

a. If so, are there remaining funds the City could utilize from this program?

The City of Austin will deploy this funding through the newly created ATXMA (Austin Mortgage Assistance) program, which is scheduled to launch on August 2, 2021. No additional funds are identified at this point.

Item #47: Authorize the negotiation and execution of an amendment to the Fiscal Year 2020-2021 Service Agreement with the Austin Housing Finance Corporation to increase available funds by \$500,000 for a total contract amount not to exceed \$77,204,657.

COUNCIL MEMBER FUENTES'S OFFICE

1) This \$500,000 are Community Development Block Grant funds. Are they awarded under the Texas Emergency Mortgage Assistance Program? If so,

a. What is the application process for this program?

Applications will be accepted online through our application portal <https://www.austintexas.gov/ATXMA> Please note that the application portal will not go live until August 2, 2021.

b. What is the formula used to award this relief?

Eligibility requirements and maximum assistance is guided by the TEMAP program and governed by CDBG CARES funding source. The program can pay up to six months of an eligible homeowner's mortgage, including payments in arrears, with at least one of those months covering a future month. Eligible households are those at or below 80% Area Median Income who have been economically impacted by COVID-19. Eligible households' monthly mortgage cannot exceed 150% of the HUD-established Fair Market Rent.

Item #54: Ratify Amendment No. 5 to the Agreement with DBG Austin Hotel LLC, for the City to continue occupying the real property located at 3105 N. IH 35, Austin, Texas, 78753 for the purpose of sheltering individuals experiencing homelessness by extending the term ending on June 30, 2021 for an

additional twelve (12) month term, for an additional amount of \$1,542,125, for a total contract amount not to exceed \$3,175,085.

COUNCIL MEMBER TOVO'S OFFICE

- 1) Please provide a map of all facilities delineated by District (congregate emergency shelter, non-congregate emergency shelter, protective lodges, and bridge shelters) that receive significant support from the City to serve individuals experiencing homelessness within the City.

Pending

- 2) Please also provide a document that contains expectations for clients regarding the operations of bridge shelters, as well as expectations for the surrounding community.

Pending

Item #57: Approve an ordinance authorizing negotiation and execution of the fifth amendment to the license agreement with Austin Pets Alive for use of the Town Lake Animal Center located at 1156 W. Cesar Chavez, Austin, Texas, to commence on August 23, 2021 and terminate November 23, 2021, authorizing waiver of the appraisal and annual license fees required under City Code Sections 14-11-42 and 14-11-43 and declaring an emergency.

COUNCIL MEMBER KELLY'S OFFICE

- 1) *How much would the appraisal and annual license fees be for this property?*

The appraisal fee would range somewhere between \$5,000 to \$7,000 and the annual license fee would likely fall somewhere in the range between \$90,000 to \$120,000 for the license fee.

Item #58: Approve the renaming of Payton Gin Pocket Park, located at 801 Payton Gin Road, to Heron Hollow Pocket Park.

COUNCIL MEMBER FUENTES'S OFFICE

- 1) *What costs are associated with a park renaming?*

The estimated costs for the park renaming of Payton Gin Pocket Park to Heron Hollow Pocket Park are approximately \$1,500 and include fabrication and installation costs including the removal of the old signage (\$1,000) and an administrative fee (\$500). The administrative fee covers: a) staff review of the application and back-up documentation including field visits to the park; b) staff time for preparation of back-up material and presentation for Parks and Recreation Board review; c) staff time for preparation of RCA and back-up documents for City Council review; d) staff time for all required changes to GIS databases, park directory, and land inventory database; and, e) staff time for all other applicable updates (RecTrac software, Asset Management records, PARD databases, CTM notifications, 311, etc.).

Item #62: Authorize the negotiation and execution of Amendment No. 9 to the agreement with the Asian American Resource Center for the Community Health Navigator program to add funding in an amount not to exceed \$175,000 to the current term and the one remaining 12-month extension option, and add one 12-month extension option in an amount not to exceed \$587,305, for a revised total agreement amount not to exceed \$3,341,605.

COUNCIL MEMBER FUENTES'S OFFICE

- 1) *Provide details of any other similar agreements between the City and a local organization offering the Community Health Navigator program, including funding amounts.*

Asian American Community Health Initiative - \$587,305 - provide community health system navigation services for members of linguistically isolated Asian American (AA) immigrant groups.

UT Mama Sana – \$408,944 – focused on improving birth outcomes and maternal health among vulnerable communities.

UT Alliance for African American Health in Central Texas (AAAHCT)- \$117,642 – focused on increased awareness and engagement in existing health promotion programs.

Northwest Austin Universal Health Clinic Asian American Health Initiative: - \$50,000 - improve access to high quality healthcare to low income Asian Americans in the Greater Austin area. (this agreement has not been previously included.)

Are any other closed out positions citywide being considered for the purpose of funding reallocation toward any Community Health Navigator programs?

- 2) *Are any other closed out positions citywide being considered for the purpose of funding reallocation toward any Community Health Navigator programs?*

Austin Public Health (APH) is not aware of any positions being considered for the purpose of funding reallocation. At this time, APH is pursuing the creation of a Community Health Worker title and career progression with the Human Resource Department. Once approved, current APH staff who meet the qualifications for these position will be reclassified.

Item #64: Approve an ordinance amending the Fiscal Year 2020-2021 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20200812-001) to accept and appropriate \$14,804 in additional grant funds from the Texas Department of Housing and Community Affairs for the Ending Homelessness Fund.

COUNCIL MEMBER ALTER'S OFFICE

- 1) *Please provide details on any funding the City of Austin receives annually from the State of Texas to provide services and/or housing to individuals experiencing homelessness.*

For FY20-21 APH received a total of \$630,992 for Housing and Homeless Service Programs (HHSP) and Housing and Homeless Service Programs – Youth Set Aside from the State of Texas.

The agreements to render these services are administered through the following agencies (with their respective HHSP allocation):

Salvation Army – HHSP - \$300,694

Front Steps, Inc. – HHSP - \$176,337

Youth and Family Alliance (dba) LifeWorks – HHSP Youth set-aside - \$153,961

Item #69: Authorize award of a multi-term contract with Tony Parent Enterprises d/b/a Allied Fence & Security (MBE), to provide fencing installation and repair services, for up to five years for a total contract amount not to exceed \$8,400,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established).

COUNCIL MEMBER KELLY'S OFFICE

1) *Who did the city previously contract with for these services?*

The recommended vendor Tony Parent Enterprises d/b/a Allied Fence & Security is the current contractor for these services.

2) *What was the cost?*

The previous contract had a total authorized amount of \$5,783,591.

3) *Do we have a record of the number of times repairs were needed and a breakdown of expenditures?*

Over the past six years the current contract had 381 delivery orders issued for the purposes of fencing installations, fence repairs, and related fencing materials. More time for a response would be required for the department to break down the 381 delivery orders to determine the number that were limited to repairs.

Item #74: Authorize negotiation and execution of a contract with Adisa Public Relations d/b/a Adisa Communications (MBE), to provide community outreach for evaluation and recommendations on certain Austin Energy energy efficiency programs and equity goals, in an amount not to exceed \$210,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established. However, the recommended contractor identified subcontracting opportunities).

COUNCIL MEMBER FUENTES'S OFFICE

1) *Please provide the timeline for these services.*

The services are anticipated to be for 12-months beginning at contract execution.

2) *How will the City receive the information resulting from this outreach? Will a presentation be made to Council?*

At the end of the 12-month process or deliverables have been met, a presentation will be made to Council.

3) *Please expand on the process by which stakeholders will be identified.*

This process is part of the consultant's plan which includes working with community liaisons. Austin Energy will know more once a kickoff meeting is held, and a work plan is developed which includes goals, strategies, tasks, and subtasks. However, the intent is to include representatives from limited income communities and communities of color.

Item #76: Authorize an amendment to an existing contract with Avenu Government Systems LLC, for continued payroll and human resource management system maintenance and support, for an increase in the amount of \$856,000 and to extend the term by five years, for a revised total contract amount not to exceed \$2,091,580. (Note: This contract was awarded as a sole source and is exempt from City Code Chapter 2-9C Minority Owned and Woman Owned Business Enterprise Procurement program).

COUNCIL MEMBER ALTER’S OFFICE

- 1) *Please provides specific details on the timeline for the city to transition to online timesheets. How will this item relate to that process and what role will Banner play once the online timesheet process is implemented?*

The city will complete the transition to digital timesheets by the end of 2023. The UKG digital timekeeping system is only for time collection, scheduling and leave management. Banner, the payroll system of record, takes the data from the digital timekeeping system and applies all payroll rules (including rate of pay, appropriate tax rates, employee deductions, etc.) during the City's bi-weekly payroll process. Until such time as we replace Banner, it will be needed to process the City’s biweekly payroll.

Item #82: Authorize negotiation and execution of three multi-term contracts with Keep Austin Beautiful; Town Lake Trail Foundation d/b/a The Trail Foundation; and TreeFolks, Inc.; to provide education, clean-up and beautification services, each for up to five years for total contract amounts not to exceed \$4,000,000, divided among the contractors. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities therefore, no subcontracting goals were established).

COUNCIL MEMBER ELLIS’S OFFICE

- 1) *This item would authorize negotiation and execution of three separate contracts. How is the proposed (up to) \$4 million anticipated to be divvied up among Keep Austin Beautiful, The Trail Foundation, and TreeFolks? If exact numbers are not known at this time, please provide estimates of the expected shares of the overall total contract authorization that will go to each organization.*

Vendor Name	Names of Programs	Estimated Annual Spend Per Vendor
Keep Austin Beautiful	1) Neighborhood and Community Cleanup Services, 2) Major One-Day Volunteer Cleanup Services, 3) ARR Youth Education Services, and 4) Street Stewardship Services, as well as WPD’s Lady Bird Lake Cleanup Program, Creek Stewardship Program, and Youth Education and Stewardship Program.	\$500,000

The Trail Foundation	WPD's Lady Bird Lake Shoreline Stewardship Program.	\$70,000
TreeFolks	WPD's Floodplain Restoration Program.	\$150,000
Contingency (10%) – to account for cost increases and other adjustments		\$80,000
Total Contract Annual Authorization		\$800,000

- 2) *Please outline the primary goals of and differences between WPD's Lady Bird Lake Cleanup Program and WPD's Lady Bird Lake Shoreline Stewardship Program. What services will Keep Austin Beautiful perform versus The Trail Foundation?*

The Lady Bird Lake Cleanup Program is focused on removal of both floating trash and trash caught near the waterline that is difficult to access from shore. Most work is done from kayaks and small boats. The Lady Bird Lake Shoreline Stewardship program is focused on improving floodplain health and shoreline stability along Lady Bird Lake through restoration activities such as invasive plant management and seeding and planting of natives. Some trash cleanup will be included in these stewardship events as we are trying to make this a regular component of volunteer activities in parks and other public spaces.

- 3) *Please provide information on how the services performed by these organizations would be coordinated with the work of the Clean Creeks Crew created in the FY20-21 Budget.*

There will be sites within the Clean Creeks Program that may be challenging for volunteers due to safety concerns or need more-frequent cleanings; however, ARR and Watershed can work to identify Clean Creek sites that would be best suited for volunteers to assist with clean-ups.

Item #96: Authorize an amendment to the existing contract with Relief Enterprise of Texas, Inc., to provide continued cleanup services for overpasses, under bridges, and in the transportation right of way, for an increase of \$1,150,000, and to extend the term for up to two years, for a revised contract amount not to exceed \$1,725,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

COUNCIL MEMBER KITCHEN'S OFFICE

- 1) *Considering the changing nature and location of encampments resulting from the ongoing HEAL initiative, the violet bag program, the passage of "proposition B" and other factors, how nimble will the contract be in adjusting the locations and manner of cleanups?*

Staff from Austin Resource Recovery, Public Works, and the Homeless Strategy Officer (Program Staff) worked with the Purchasing Office and the contractor to create

flexibility in the contract to add or remove sites to meet the City's changing needs. When sites need to be added or eliminated from the list of sites, they are evaluated by Program Staff to ensure they meet the scope outlined in the contract and then work with the City's Purchasing Office and the contractor to make the necessary changes and updates. In addition, although the contract will be authorized for a specified amount, it does not obligate the City to spend the entirety of this amount should demand decrease over time.

Item #96: Authorize an amendment to the existing contract with Relief Enterprise of Texas, Inc., to provide continued cleanup services for overpasses, under bridges, and in the transportation right of way, for an increase of \$1,150,000, and to extend the term for up to two years, for a revised contract amount not to exceed \$1,725,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

COUNCIL MEMBER KELLY'S OFFICE

- 1) *Given that Prop B enforcement is in progress, what is the thought process for extending this contract for another two years? Do we anticipate needing to extend it again in 2023?*

OVERVIEW: The City of Austin assumed the role of cleaning at various underpass locations in spring 2019 after the Texas Department of Transportation (TxDOT) announced they would no longer be performing this service. The process involves removing trash and debris under highway underpasses at least once per month to help ensure public health and safety and allow for inspections of critical transportation bridge infrastructure. This program is part of the City's overall Clean City Strategy and is a companion to the Violet Bag Program.

Implementation of Council Guidance

Last year Council raised concerns about the process. Based on those concerns, the process was reviewed, and the following steps were taken:

- Staff looked at the feasibility and cost to transition services from contract to in-house.
- Staff increased the Violet Bag Program and incorporated improvements to the monthly trash and debris pickup process while engaging with social services providers, HOST and EMS Medics.
- All City and Contract Employees involved in the underpass clean-up process have undergone training to better equip them in working and engaging with our community members that live in the areas to ensure that we are respecting the integrity of these vulnerable populations.
- Staff revised the notice that is posted, to better inform all community members about the process and what it does and does not do.
- Staff added a supplemental posting, outlining other City services that are available.
- Posting materials are provided in both English and Spanish.
- Provide employment opportunities for vulnerable population community members.

KEY COMPONENTS: Staff would like to take this opportunity to update Council of key components on our efforts and our new path forward for the next two years.

Contract Scope

The City's Clean City Strategy has multiple City Staff members, service providers and scopes ranging from bridge underpasses to empty lots to parks to creeks and ponds. This contract specifically focuses on removing trash and debris on highway underpasses and areas in the transportation right of way to help ensure public health and safety and allow for the inspections of critical transportation bridge infrastructure.

Contract Partner

Council has asked staff to help create employment opportunities for community members who might have difficulties obtaining work opportunities. Our contractor, Relief Enterprises, is a non-profit that specializes in providing jobs and job-related support for our community's disabled and vulnerable population while creating a positive impact on the lives of the underprivileged. The additional support provided by Relief Enterprises increases the employment continuation and success of the populations it serves.

Feasibility and Cost to Transition Services In-House

Austin Resource Recovery performed analysis based on information provided by Public Works on resources that the contractor is using to accomplish the scope of work under the contract. This analysis showed that it would be more costly to bring all these services in-house and that it would be more efficient to use a blended approach utilizing both contract and City resources. In addition, a blended approach allows for job opportunities and support via Relief Enterprises that would not be available from Austin Resource Recovery.

The blended approach utilizes the contract resources to conduct monthly scheduled cleanup services while freeing up City crews for spot cleanups to new areas identified that might need a one-time cleanup or areas not specific in the scope of the contract. This allows a more responsive and comprehensive approach while minimizing the impact to our community members that live in these underpasses.

Increase of the Scope of the Violet Bag Program

This year we increased the number of Violet Bag Program Kiosks at the Bridge Underpass Locations from 8 to 44 of the over 60 sites we maintain. Staff also distributes additional Violet Bags and restocks the kiosks when the notices are posted as well as water, gloves, and masks to residents at the locations.

Austin Resource Recovery (ARR) continues to support the Violet Bag program, with 44 locations around Austin. All sites receive daily service to empty carts and remove litter from the area. In the two years that the Violet Bag program has been in place, ARR crews have removed over 600 tons of debris from sites around the city through the program.

Encampment Cleanups

Austin Resource Recovery recently began removing bulk items from encampments including furniture, appliances and mattresses. Crews rotate between Interstate 35, Highway 183 and Highway 71 over a three-week period before repeating the cycle. The bulk removal service is a supplement to the existing Relief Enterprises contract. ARR

crews also provide on-demand cleanups at established or abandoned encampment sites as needed.

Self-Service Pilot Program

Council requested Staff to adjust the process to give the residences an opportunity to maintain the cleanliness of their areas themselves, similar to the services we provide to other community members.

A pilot program was implemented from October 2020 to December 2020. There were two locations selected: 183 / Cameron Road underpass and the 290/71 Packsaddle underpass. The pilot program involved dropping off a dumpster the day before the monthly schedule cleaning and working with the community members residing at the location to help us with trash and debris removal. The dumpster was picked up at the end of day. The next day Public Works and contractors visited the site and picked up any other remaining debris.

The pilot program had initial success the first month, unfortunately participation decreased in each of the following months. Based on the results, staff did not expand the program and ended the pilot in January 2021.

Flexibility of The Contract

The dynamics of the homeless population in Austin is continuously changing in terms of population and shifts in locations of encampments. Staff worked with the City Purchasing Office and the contractor to create flexibility in the contract to add or remove sites to meet the City’s changing needs. When sites need to be added or eliminated from the list of sites, they are evaluated by City staff to ensure they meet the scope outlined in the contract and then work with the City’s Purchasing Office and the contractor to make the necessary changes and updates. In addition, the contract is authorized for the specified amount, but it does not obligate the City to spend the entirety of the funds should demand decrease over time.

Services to Date

The current Underpass Cleanup Contract period began July 30, 2020. The cleanup schedule is arranged into 5 groups and has been adjusted so that most locations will be visited on Tuesday and Thursday of each week. Some groups have been split into two and three separate days due to the size and scope of the tract.

SITES & TONNAGE, BAGS / GLOVES / MASKS

<i>FY21 Year to Date</i>			
<i>Site Visits Conducted to Date</i>	575	<i>Violet Bags Handed Out</i>	2,809
<i>Tonnage of Debris Collected:</i>	655	<i>Gloves Handed Out</i>	2,631
		<i>Masks Handed Out</i>	2,683
<i>Inception to Date</i>			
<i>Site Visits Conducted to Date</i>	1,369	<i>Violet Bags Handed Out</i>	3,732
<i>Tonnage of Debris Collected:</i>	1,085	<i>Gloves Handed Out:</i>	3,253
		<i>Masks Handed Out</i>	3,038

Conclusion: As mentioned at the last year's Council meeting, the goal of this contract and program is to provide a clean and safe environment for our community, while respecting the integrity of this vulnerable population. The Homeless Strategy Office, Austin Resource Recovery, and Public Works are committed to achieving this important goal.

Item #98: Ratify a contract with McKinstry Essention, LLC, to provide winter weather emergency heating, ventilating, and air conditioning repairs for the Building Services Department, in the amount of \$1,267,832. (Note: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

COUNCIL MEMBER KELLY'S OFFICE

1) *What was the extent of the damage?*

The extent of the damages is outlined in the attached memo and summarized below.

City Hall: Air Conditioning outside air coil pack freezing inside the HVAC air handler unit due to the abnormal winter temperatures. The pipes that make up the coil pack froze, which caused water pipes to break in multiple places and flood the City Hall mechanical room.

RBJ Health Center: Air Conditioning coil pack froze, broke, and flooded the RBJ mechanical room.

Forensic Science Bureau: HVAC air handler unit freezing, breaking, and flooding the second-floor mechanical room of the forensics lab. The flooding in the mechanical room damaged the HVAC chiller and coil pack beyond repair and will be replaced by this contract.

Technicenter Campus: Broken pipes and sensors which in turn flooded the Technicenter mechanical rooms. The flooding in the mechanical rooms damaged control panels, chillers, and HVAC systems beyond repair.

2) *Was it the cold temperatures that caused the issues or some other weather-related factor?*

Yes, it was the prolonged cold temperatures.

3) *Do we anticipate running into future challenges should this kind of weather event reoccur?*

Yes, given the advanced age of the buildings overseen by BSD, the City is certainly vulnerable. As our budget has allowed, staff has been looking at future challenges and opportunities for infrastructure integrity investment. Our mechanical equipment is aged and in need of a comprehensive inventory to determine specific weak points throughout our portfolio. We are in an unfortunate 'wait and see' position without resources to appropriately investigate or the resulting funds required to mitigate results.

Item #103: Authorize award of a contract with Overseas Parts Distributing Inc. d/b/a Alamo BMW, to provide police motorcycles, in an amount not to exceed \$361,760. (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).

COUNCIL MEMBER ELLIS'S OFFICE

- 1) *We are aware of recent assignments shifts involving APD officers assigned to the Motors division and were wondering if the use of motorcycles has remained consistent throughout 2021 and whether the demand / use is expected to increase throughout 2022.*

The Motors Unit will function in an auxiliary capacity, so there is a continued need for replacement motorcycles. Motor Officers reallocated to Patrol will still have the capability to perform the tasks of a Motors Officer on their newly assigned Patrol Shift. In order to have the ability to do so, Motor Officers will need to maintain their motorcycles. A Patrol Shift is a dedicated group of Officers designated to respond to 911 calls for service.

For safety reasons all City of Austin (COA) vehicles have a designated "useful life" timespan. These purchases are on the standard COA Fleet replacement schedule. Here is additional information related to the need for Motors Officers to maintain / purchase motorcycles, as there continues to be a public service need to maintain our current motorcycle numbers.

Motor Officers on Patrol

Motor Officers reallocated to Patrol will still have to capability to function / serve as a Motor Officer on their Patrol Shift.

- Officers will still be responding to calls for service on motorcycles. We will just not have a "full time" Motors Unit.
- Officers on motorcycles offer maneuverability in responding to calls, particularly incidents where there is an obstruction blocking the passage for a standard police vehicle to access the scene.
- Over all Motors are able to address traffic issues such as stalls, crashes, traffic hazards in a very efficient manner as opposed to an Officer in a standard police car.
- Motor Officers will continue working less conspicuous traffic enforcement assignments and "Directed Patrols" such as school zones, high accident volume intersections, and high-speed roadways.

Motor Officer Auxiliary Unit for Special Events

As many large-scale public events are resuming and the City of Austin transitions out of the pandemic restrictions, Motors will assist with these various special events for safety reasons:

- Parades / Runs – Motors are for traffic control and street closures. Officers on Motors have the flexibility to respond from any direction and traverse runners / the course in order to intercept rouge vehicles.
- SXSW / ACL / Other Large-Scale Events – Motor Officers are utilized at these events for traffic control / traffic direction.
- Community Events – The community often requests Motors Officers to participate in Community Events.

Item #103: Authorize award of a contract with Overseas Parts Distributing Inc. d/b/a Alamo BMW, to provide police motorcycles, in an amount not to exceed \$361,760. (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).

COUNCIL MEMBER KELLY'S OFFICE

- 1) *My understanding is that the motors unit has been suspended. If that's the case, why are replacement motorcycles necessary?*

The Motors Unit will function in an auxiliary capacity, so there is a continued need for replacement motorcycles. Motor Officers reallocated to Patrol will still have the capability to perform the tasks of a Motors Officer on their newly assigned Patrol Shift. In order to have the ability to do so, Motor Officers will need to maintain their motorcycles. A Patrol Shift is a dedicated group of Officers designated to respond to 911 calls for service.

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Item #105: Authorize negotiation and execution of a contract with Catchafire, Inc., to provide capacity building services for non-profits, for a term of one year in an amount not to exceed \$105,000.

(Note: This procurement 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 procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

COUNCIL MEMBER ALTER'S OFFICE

- 1) *Once this contract is in place how can council offices assist in identifying skilled volunteers to support the nonprofits that contract with the city?*

Catchafire recruits individuals through LinkedIn and social media generally, and their existing networks. When someone wants to volunteer, they sign up through their website platform. The volunteer lists their skills and experience and they can state what issue areas they would like to work in.

The non-profits post volunteer opportunities and the volunteers can either wait for the agency to contact them, or they can search the opportunities and "apply" for the open positions.

If anyone, including Council offices, would like to connect volunteers with Catchafire, they can tell the volunteer who would sign up on their platform.

Item #112: Approve a resolution amending Resolution No. 20071129-045 related to the City of Austin Green Building Policy.

COUNCIL MEMBER KELLY'S OFFICE

- 1) *How does LEED integrate or work with the AE Green Building Standards? LEED is an internationally recognized standard for green building and it is something the city has pursued in the past on its own buildings (such as city hall). Why or why not?*

Austin Energy's Green Building program actually pre-dates LEED by many years. The US Green Building Council took cues from Austin's program to create a menu-based rating system for green buildings. Both standards have evolved over time. LEED has become a widely referenced international standard for excellence in green building. Austin Energy Green Building has evolved over time and is a tool customized for the Austin market. Both tools are popular in Austin.

In 2007, City Council approved Resolution 20071129-045 requiring municipal buildings and major renovations with construction costs of more than \$2 Million to meet a LEED Silver Rating. Since that time, the City of Austin has utilized LEED as its green building benchmarking tool.

In 2019, City Council approved Resolution 20190619-091 which amended the policy to allow for an Austin Energy Green Building three-star rating OR a LEED Silver rating. Staff from Austin Energy's Green Building Program have conducted extensive analysis to ensure that the three-star rating is an equivalent to the LEED Silver rating. (Sarah Talkington)

In certain cases, projects may elect to use both. Both of these tools are excellent. Some projects may elect to use LEED while others may elect to use Austin Energy Green

Building. One advantage to Austin Energy Green Building participation is the availability of the program staff to provide no-cost technical assistance to project teams. As of January 2021, the City of Austin municipal building portfolio has 36 LEED-Certified projects, with 46 additional projects underway. For more information, see <https://www.leedatx.com/>

2) *My understanding is that the Solar-Ready Zones and on-site reuse requirements are more complex to implement due to the city's utilization of the Uniform Plumbing Code.*

a. *How does the process work to address areas where these requirements conflict?*

I consulted with staff at Austin Water Utility (Robert Stefani) to address this part of your question. Staff is not aware of any conflict between the solar ready provisions and chapters 15 and 16 relating to alternate water use in the adopted UPC. The Alternate Method of Compliance (AMOC) process could be used to resolve any conflict if found at DSD's discretion.

b. *Is there a long-term plan to eventually looking at the adoption of the International Plumbing Code which has more specific guidelines and rules for on-site reuse and greywater systems?*

Although City Code primarily adopts the Uniform Plumbing Code as the Plumbing Code, it also authorizes use of the International Plumbing Code to the point of conflict. Project design teams and contractors may utilize either the Uniform Plumbing Code or the International Plumbing Code for on-site reuse and greywater systems. The technical codes also provide a path for alternate methods of compliance and modifications to be granted at an administrative level under the Building Official. This provides an opportunity for creative solutions meeting the intent of the code to be considered.

Item #128: Conduct a public hearing and consider the proposed rate and fee changes for Austin Resource Recovery as part of the Fiscal Year 2021-2022 Proposed Budget.

COUNCIL MEMBER ELLIS'S OFFICE

1) *The ARR rate and fee change item, we wanted to inquire into the proposed 73% increase in the "On-Call Brush Collection" fee from \$100 to \$173. This is a fairly large year-over-year increase, in a post-Uri, high-wildfire-risk era when we don't want to be disincentivizing anyone from getting dead brush cleared from their property as quickly as possible. Can you please help explain the need or rationale for this proposed fee increase?*

Austin Resource Recovery (ARR) curbside collection customers currently receive large brush collection twice per year as part of the "Base Customer Charge" services. The On-Call Brush Collection Fee is intended to recover costs for providing the on-demand service (outside of the twice-per-year collection). ARR completes a full cost of service for major fees each year and reviews minor fees on a periodic schedule. This fee last received a cost-of-service analysis over 10 years ago. As such, the Department completed a full cost of service analysis on this fee for the FY22 Budget. The analysis showed that ARR needed to increase the fee in order to cover the cost to provide the service.