



**November 4, 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 #2:** Authorize negotiation and execution of an amendment to an interlocal agreement with the Lower Colorado River Authority concerning laboratory testing services, to increase funding in the amount of \$1,000,000 for a revised total contract amount not to exceed \$2,700,000.

### COUNCIL MEMBER KELLY'S OFFICE

- 1) *The Toxic Pollutant List was developed in 1976 and added to the Clean Water Act by Congress in 1977. Does the laboratory testing contract test for toxic blue-green algae under this contract?*

The laboratory contract includes testing for cyanotoxins, which are the toxic compounds produced by certain types of blue-green algae.

- 2) *How often is the water tested to comply with the Clean Water Act?*

The federal Clean Water Act and the federal Safe Drinking Water Act both require water utilities to perform a wide range of routine testing, with frequencies ranging from daily, to weekly, monthly, and quarterly. This testing is also regulated by the Texas Commission on Environmental Quality (TCEQ). Austin Water's monitoring program fully complies with all federal and state testing requirements.

- 3) *In the Recommendation for Action related to this item it states that Contract lab services may be used for those analysis that are performed in-house when instrumentation is out-of-service or demand exceeds in-house capacity. Please provide an accounting of the last five years when our instrumentation has been out of service and has exceeded in-house capacity.*

Austin Water's Laboratory Services Division uses hundreds of instruments of varying complexity and sensitivity. It is common for an instrument to be placed out of service due to planned routine maintenance or replacement, unexpected needed repairs, and regulatory changes. Staffing shortages can occur and workload can also vary, depending on such factors as regulatory requirements, process control needs, as well as ever changing environmental conditions that impact our water resources. For these reasons, this contract with LCRA is necessary to continue to be able to outsource analytical services as needed.

**Item #3:** Approve a resolution nominating Flextronics America, LLC 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.

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- 1) *What is the estimated amount of refund of State sales and use tax that Flextronics would be eligible for based on the employment criteria and amount of the capital spent if this resolution is adopted by council?*

Per state statute, the State of Texas refunds \$2500.00 per job created or retained. Flextronics has committed to retaining 500 jobs, thus the math would be as follows:  $500 \times 2500.00 = \$1,250,000.00$  (over the life of the designation which is 5 years max). Thus, the maximum payout from the state back to Flextronics (or any other firm for that matter) would be no more than \$250,000.00 per year for 5 years. The refund is subject to Flextronics meeting their retained jobs commitment. Again, no city funds are part of the state's Enterprise Zone Program. It is purely a refund of the State's Sales tax.

**Item #4:** Authorize negotiation and execution of a cooperative contract with immixTechnology, Inc. for maintenance and support of Infor software used for tracking and recording service requests, work orders, and asset inspections, for a term of five years in an amount not to exceed \$2,520,000. (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 goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

#### COUNCIL MEMBER KELLY'S OFFICE

1) *What was the criteria that the purchasing office used to determine that immixTechnology, Inc was the vendor best suited for this contract?*

This recommendation is for a cooperative contract, where the City uses a contract which was already competed by another government. The State of Texas Department of Information Resources (DIR) cooperative establishes competitively bid contracts that can be utilized by many other governments, including the City of Austin. Cooperative contracts save taxpayers money by leveraging volume-buying power to drive down costs on hundreds of contracts through a streamlined cooperative purchasing program. City staff reviewed multiple vendors within this cooperative program and requested a quote from two which offered this product. The recommended contractor, immixTechnology, Inc., provided the lowest quote for this procurement.

2) *Which other companies bid on the project? What were their bid amounts?*

The companies that provided quotes from their DIR cooperative contract are:

- immixTechnology, Inc – \$2,517,074.23 for 5 years
- The Arcanum Group, Inc. – \$2,627,052.84 for 5 years

3) *Please provide copies of the bids to council for review.*

The contents of the DIR contracts and any quotes made under those contracts are public record. FSD Purchasing is glad to share this information with the Council Member, and with any other Council Members and their staff, that wish to review these materials.

**Item #5:** Authorize an amendment to a contract with Solix, Inc. for automatic enrollment administrator services, to increase the amount by \$7,250,000 and to extend the term by five years, for a revised total contract amount not to exceed \$12,424,700.

## COUNCIL MEMBER KELLY'S OFFICE

### 1) *What was the determining factor in amending the contract?*

The contract is expiring November 30, 2021. The amendment to the contract is necessary in order to maintain the complex infrastructure that has been created over the previous contract terms. For example, the multi-property process is unique to this infrastructure and would require a new entity to start from scratch which would delay the processing of automatic enrollment for up to a year.

### 2) *In the Recommendation for Action document, it states Funding for the remaining contract term is contingent upon available funding in future budgets. Will there be any issues related to the contract ending before its term if the City of Austin is unable to fund this in future budgets?*

Yes, the primary issue is that this is a tariff mandate from the 2012 rate case. If the funding was not made available by the City of Austin in future contract years, then enrollment into the programs would be significantly impacted until an internal infrastructure could be designed, built, and tested to begin enrolling customers. Like most City contracts however, this contract does contain a clause allowing the City to cancel without penalty if the funding were not available.

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## COUNCIL MEMBER ALTER'S OFFICE

### 1) *What is the average number of customers confirmed for the Utility Bill Discount Program annually?*

The average number of customers confirmed for the Utility Bill Discount Program for Fiscal Year 2021 was 34,667 households.



**Item #8:** Authorize negotiation and execution of a multi-term contract with Level 3 Financing, Inc. d/b/a Level 3 Telecom Holdings, LLC to provide data and telecommunications services, for up to ten years for a total contract amount not to exceed \$7,000,000.

COUNCIL MEMBER KELLY'S OFFICE

- 1) *In the recommendation for Action it states that the contract expired on October 30, 2021. Who is currently providing the services related to this contract? Is there a grace period?*

The recommended contract is with the same contractor supporting the current contract. Staff originally sought to place this item on the on the October 21, 2021 Council Agenda, to allow sufficient time to execute the new contract prior to the current contract's expiration on October 30, 2021. When this item was moved to the November 4, 2021 Agenda, to ensure there was no lapse in service, staff executed an amendment to extend the contract's term for an additional two weeks, through November 12, 2021. As there was sufficient unused expenditure authority under the current contract, the amendment was for additional time only.

**Item #10:** Authorize negotiation and execution of a cooperative contract with CGI Technologies and Solutions, Inc., for infectious disease response software support, for a term of three years in an amount not to exceed \$5,470,042.

COUNCIL MEMBER KELLY'S OFFICE

- 1) *How was the City of Austin previously tracking their response to infectious disease prior to the item coming before council?*

There are two state managed cloud-based systems that that are used by the local health departments and the state health department. One system, THISIS, is for managing reports of illness for sexually transmitted diseases and TB. The second, called NBS, manages the reports of 60 reportable conditions such as measles, mumps, salmonella and lyme disease. Neither of these systems provide a function for managing testing or vaccination appointments.

- 2) *What is the advantage of using this software in lieu of using the previous method for tracking?*

See a list of advantages below:

- a. Space – can store larger volume of records
- b. Increases Legibility – over time paper documents can become smudged, faded or damaged.
- c. Increase efficiency and speed of data analysis
- d. Accessibility
  - i. Instant access to records
  - ii. Shareability
- e. Improves security
  - i. Better encryption
  - ii. Confidentiality of data
  - iii. Integrity of data
  - iv. Audit trails
- f. Data backups
- g. Cloud based – access with internet connection

**Item #11:** Authorize award of a contract with Consolidated Traffic Controls, Inc., to provide traffic signal network equipment, for a term of five years in an amount not to exceed \$6,740,000.

COUNCIL MEMBER KELLY'S OFFICE

1) *Which traffic switches will be replaced under this contract?*

All existing 1,200 traffic switches will be replaced as part of this contract.

2) *What is the anticipated timeline for replacing these switches once the contract is approved?*

The City will place an order and begin replacing traffic switches once received from the contractor. Replacement is anticipated to take 12-18 months.

3) *When does a traffic switch reach the end of its lifecycle?*

The end of a switch's lifecycle is dependent on when a manufacturer stops supporting firmware updates particularly security updates. This is anticipated to be a minimum of 8-10 years.

**Item #12:** Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple Lot 58, Block B, Enclave at Covered Bridge, according to the map or plat, recorded in Document No. 2015000145, Official Public Records, Travis County, Texas, located at 6700 Halesboro Drive, Austin, Texas from Evelyn L. Bassford a/k/a Evelyn Bassford Hull and Marvin Glenn Bassford, Trustee of the Marvin Bassford Trust, for a total amount not to exceed \$781,549, including closing costs.

COUNCIL MEMBER FUENTES'S OFFICE

1) *How much funding remains available in the 2018 bonds for parks and recreation purposes?*

Here's the breakout for all of Prop C for Parks and Recreation (in millions of \$):

Category	Appropriation	Encumbrances	Expenses	Balance	% Spent	Unassigned to Projects
Aquatics	40.0	1.9	2.3	35.8	6%	3.9
Land Acquisition	45.0	0.1	14.5	30.4	32%	21.3
Park Improvements	25.0	0.8	3.5	20.8	14%	6.7
Building Renovations	21.5	3.4	1.5	16.6	7%	7.3
Infrastructure	17.5	1.2	7.1	9.3	40%	5.1
Total	149.0	7.3	28.9	112.8	19%	44.2

The **balance** column is appropriation that isn't spent or under contract to date. The **unassigned to projects** column reflects our appropriation that has not been dedicated to a specific project or acquisition.

**Item #15:** Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire two Temporary Working Space Easements: one easement being approximately 0.126 of an acre (5,476 sq. ft.) and 0.426 of an acre (18,559 sq. ft.) out of land situated in the William Bell Survey No. 802 in the City of Austin, Travis County, Texas, and being a portion of Lot 2, Austin Center/3M Subdivision, a subdivision of record in volume 87, Page 7B of the Plat Records, Travis County, Texas; the other easement being approximately 0.204 of an acre (8,865 sq. ft.) out of land situated in the J.W. Preece Survey Number 2 in the City of Austin, Travis County, Texas, and being a portion of Lot 4, Austin Center/3M Subdivision, a subdivision of record in volume 87, Page 7B of the Plat Records, Travis County, Texas, both easements located at 6801 River Place Boulevard, Austin, Texas 78750, from ATX Debt Fund 1, LLC in an amount not to exceed \$79,450, including closing costs.

#### COUNCIL MEMBER KELLY'S OFFICE

1) *What happens to the Temporary Working Space Easements after the work is completed?*

The temporary working space easements expire when their term ends. They are analogous to a lease. Once the work is completed, the sites will be restored prior to the expiration of the temporary easements.

2) *While I understand that a future item will be brought to Council to award the contract to construct the project, what is the estimated timeline for rehabilitation of the wastewater lines once a contract is awarded?*

Once a contract is awarded, it is estimated that all of the wastewater lines will be rehabilitated within 2 years.

**Item #18:** Authorize award and execution of a construction contract with Flintco, LLC, for the AUS Cargo Development East project in the amount of \$16,584,000, plus a \$1,658,400 contingency, for a total contract amount not to exceed \$18,242,400. [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 12.73% MBE and 1.79% WBE participation.].

#### COUNCIL MEMBER FUENTES'S OFFICE

1) *What is the projected economic impact for the US Cargo Development East project?*

- The direct economic impact of the 90,000 SF multi-tenant cargo building is initially planned to generate \$500,000 in annual landing fee revenues and approximately \$1.8m in annual ground and facility rents.
  - These estimates are based on full operational use of the facility.
- The estimated employment growth to support the maximum cargo volume throughput in this new facility is estimated at 150 full time jobs
- Indirect benefit/value of the overall cargo volume to support the growth in high tech manufacturing and logistical support for commerce in the Austin community is not defined at this time.
- According to a 2017 TX DOT study, the economic impact of Airport in general was \$7.6b annually and supports 74,000 direct and indirect jobs.

**Item #20:** Approve an ordinance amending Exhibit A to the Fiscal Year 2021-2022 City of Austin Fee and Fine Ordinance (Ordinance No. 20210811-002) to reduce the fire alarm system plan review and fire sprinkler plan review fees for 1-10 devices.

COUNCIL MEMBER ALTER'S OFFICE

- 1) *Please provide details for why these two fee schedule errors were initially included in the FY22 budget.*

Large departments like Fire enter hundreds of numbers into spreadsheets during Budget development each year. The two numbers that were in error on the fee schedule were mistyped and no one caught it during the multiple layers of review by AFD and the Budget Office. Instead of increasing the fee for 1-10 devices for Fire Alarm System Plan Reviews and Fire Sprinkler System Plan Reviews from \$57 to \$58, incorrect numbers were entered. AFD will take additional care in the review of numbers during the budget development process in the future.

**Item #30:** Authorize negotiation and execution of Amendment No. 14 to an agreement with Front Steps, Inc. to provide permanent supportive housing services for the period of October 1, 2021 through September 30, 2022, adding one 12-month extension option in an amount not to exceed \$111,149, for a revised total agreement amount not to exceed \$1,246,592.

COUNCIL MEMBER ALTER'S OFFICE

- 1) *Please provide details regarding the deliverables of this specific contract and what this additional \$111,149 is anticipated to provide.*

The \$111,149 will be used to continue permanent supportive housing services to 52 clients through September 30, 2022. In addition to supporting existing clients, this funding will also be used to house new clients when there are open slots. The program services consist of: intensive case management; housing location, lease and housing stability support; skills training; weekly support groups; referrals to psychiatric services; support obtaining and maintaining primary health services; substance misuse services; and employment/income generation support services.

**Item #33:** Approve a resolution authorizing negotiation and execution of a Local On-System Improvement Project Agreement with the Texas Department of Transportation in an amount not to exceed \$4,000,000, for the implementation of safety and mobility improvements on South Congress Avenue between Mockingbird Lane and Little Texas Lane.

COUNCIL MEMBER KELLY'S OFFICE

- 1) *Please provide a list of high-crash intersections that have been identified across the City of Austin, their priority level and anticipated date of improvements to be made.*

Austin Transportation Department (ATD) staff developed a prioritization methodology to ensure the 2018 and 2020 Vision Zero bond funds are used effectively to make progress towards the goal of reducing serious injuries and fatalities due to car crashes. A two-step screening process uses comprehensive crash costs and engineering criteria to arrive at the top locations to move forward with more detailed analysis and into project development when appropriate. ATD staff,



working with various partners, then scope, design, and implement crash reduction/mitigation strategies.

The attached document lists the top ~80 priority locations (chosen out of tens of thousands throughout the city) current status, and construction dates (if known/available/estimated).

2) *What are the specific proposed improvements to this intersection that are currently under design?*

The Congress Avenue/Stassney Lane Intersection Improvement project aims to increase safety and mobility for people driving, walking, biking, and taking transit, in the area between Mockingbird Lane and Little Texas Lane. The scope of the planned improvements include:

- Adding a second left turning lane for vehicles traveling on southbound Congress Avenue to eastbound Stassney Lane
- Adding raised concrete medians on Congress Avenue for improved access management
- Adding new left turn lane for vehicles on northbound Congress Avenue to Ainsworth Street
- Modifying existing triangular median islands at the northeast and southeast corners to smart-right channelized islands with raised crosswalks
- Adding and/or upgrading pedestrian ramps on all corners of the intersection and adding new continental crosswalks
- Adding new separated bicycle and pedestrian paths for improved connectivity and safer access for active modes
- Adding 6 new Capital Metro stops for safer and improved access to transit
- Associated signal infrastructure upgrades and, signal timing upgrades for safer and improved operations
- New pavement surface treatment and, new permanent pavement markings, signage

**Item #38:** Approve a resolution related to the geographic constraints and minimum intake requirements of the City's agreement with Austin Pets Alive! and directing the City Manager to negotiate certain terms for the operation of the Town Lake Animal Center facility.

**COUNCIL MEMBER KELLY'S OFFICE**

1) *How many behaviorally challenged large dogs are surrendered to the animal shelter each month?*

In FY 20-21, 428 dogs were surrendered; 358 dogs were owner surrendered for behavior and 70 were surrendered for aggression. For FY 20-21, an average of about 35 dogs per month were surrendered for behavior or aggression.

2) *Has Austin's Animal Services Office ever failed to meet the save rate mandated by Council ordinance?*

The Austin Animal Center (AAC) has never failed to meet its live exit rate since its inception. AAC has maintained No-Kill status since 2012 and exceeded the 95% rate three years before it was mandated in 2019.

3) *What is Austin's Animal Service's Office's save rate?*

City Council adopted a 95% live exit rate and AAC is currently above the 95%. The National No Kill status is 90% live exit rate

- 4) *Has the Animal Center dropped below the mandated live exit rate since it was codified by ordinance?*  
Austin Animal Center has maintained or exceeded the live exit rate.

- 5) *How many individuals affiliated with Austin Pets Alive currently serve on the Animal Advisory Commission?*

It is our understanding that two commissioners are fulltime employees of Austin Pets Alive and a third member is an officer on the APA board.

- 6) *Is there a current euthanasia list that is kept at the Animal Services Office? On average, how many animals are on that list per month?*

The Austin Animal Center does not keep an active euthanasia list. Euthanasia is performed only when an animal is determined to be irremediably suffering, facing a grave medical prognosis, or found to be a public safety risk.

- 7) *Is there an at-risk animal list? On average, how many animals are on that list per month? What types of animals are placed on this list?*

There is an at-risk list for dogs with behavior challenges or concerns. Per month, it may include five to 10 dogs. These are dogs with multiple bite histories, documented aggression or incidents where other animals were injured or killed. Also, if staff see a decline in a dog while in the shelter, then the safety of others may become a concern.

- 8) *How are these lists managed?*

The list is managed by the Behavior and Enrichment Team whose members evaluate all dogs. The team works with dogs to see where improvements can be made and what potential outcomes exist (adoption or rescue). Depending on the animal's history, the dog may be placed on APA! attention to be evaluated by their behavior team. If APA!, after the evaluation process, decides to decline rescuing the dog, then the Animal Services Leadership Team discusses the dog to identify other potential options, including putting out a notification for euthanasia if other placement options are not viable.

- 9) *What are the potential impacts to the City of Austin if Austin Pets Alive does not comply with the requirements of this resolution?*

Non-compliance could potentially create capacity concerns and unanticipated costs for the City and tax payers. Any reduction in animals pulled from Austin Animal Center by APA will need to be made up through adoptions and other rescue organization pulls.

**Answer (Office of Council Member Leslie Pool):** If the City of Austin loses its primary No-Kill community partner, Austin Pets Alive, the City loses its main support to save the animals that the City's shelter cannot save or cannot afford to save. Austin Pets Alive has the unique capability to support many vulnerable pets, including medically fragile animals with parvovirus, feline leukemia, ringworm, acute medical challenges, neo-natal puppies and kittens, as well as barn cats, and dogs with behavioral challenges, all of which might be at high-risk of euthanasia. Without our partnership with Austin Pets Alive, our live outcome rate is in jeopardy of slipping

far below our stated goal of 95%. No-Kill as a policy, however, is more than just meeting live outcome numbers. The City of Austin cannot support No Kill on its own – community partnerships assists us to save vulnerable animals, promote education, grow foster programming, provide individual and family resources for medical care and training, and help with lost and found services. Strong community partnerships makes the No-Kill policy sustainable in Austin.

*10) Following passage of this resolution, staff will execute a contract with Austin Pets Alive. What would occur if Austin Pets Alive was out of compliance with the contract?*

*a. What steps would the City of Austin take to ensure compliance of the contract?*

Under Section 17 of the current license agreement, the City of Austin has the right to terminate the Agreement if APA fails to comply with the terms and conditions of the current license agreement. In the fifth amendment to the current agreement, staff agreed not to terminate the agreement for a failure to comply with the minimum intake requirement in Section 8.2(a).

If this resolution is passed as currently drafted, APA will be authorized to source animals from outside of the five county limit and the current agreement will need to be amended to reflect changes requested by Council.

Currently, no enforcement language has been agreed upon for the new 25-year term license agreement, which will need to be drafted with the assistance of the legal team.

*b. Would City Staff be responsible for taking action to ensure compliance of the contract, or does that lie on Council's discretion to act?*

Staff is responsible for ensuring compliance and taking appropriate actions under the contract if there are violations.

**Item #60:** C14-2021-0009 - 1725 Toomey - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1725 Toomey Road (Lady Bird Lake Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to multifamily residence highest density (MF-6) district zoning. Staff Recommendation: To grant multifamily residence highest density (MF-6) district zoning. Planning Commission Recommendation: To be reviewed October 26, 2021. Owner/Applicant: 1725 Toomey LLC. Agent: Drenner Group PC (Amanda Swor). City Staff: Kate Clark, 512-974-1237.

#### COUNCIL MEMBER KITCHEN'S OFFICE

*1) Please provide an assessment of the impact on affordable housing of rezoning this site from CS to MF-6:*

- a. Are any affordable units proposed as part of the zoning request?*
- b. What is the level of rents for individuals living at this location currently? Is this level of rent below or at market rate for rentals in this area?*
- c. What level of rent would staff project for these units if the complex is built with the requested MF6 zoning?*

- d. *Are the people currently living at the apartment complex eligible for relocation assistance? Why or why not?*
- e. *What affordable housing program would the staff recommend be used for this site to secure affordable housing?*
- f. *Please provide an Affordable Housing Assessment Report for the site.*

2) *V-Overlay*

- a. *Given its close proximity to another nearby CS-V tract, its central location, and Council's desire to create opportunity for developer to engage existing density bonus programs, can Council add V to the existing CS zoning?*
- b. *Is there an explicit prohibition from Council adding V to the existing CS zoning?*

3) *Heritage Tree Permit*

- a. *The tree permit was granted on 11/20/20 based on damage to the existing building. When was the zoning case filed?*

4) *Transportation Impact Statement*

- a. *What are the estimated number of trips from this development if built at the requested zoning of MF6?*
- b. *When combined with existing use of Toomey Road by the residential and businesses along the road PLUS the projected trips for the Dougherty Arts Center and this development - what will be the estimated additional trips on Toomey Rd?*
- c. *What is the total capacity of Toomey Rd?*
- d. *How does adding additional trip capacity on Toomey Rd impact the Zilker Park Master Plan TIA planning process?*

5) *What is staff's rationale for recommending a variance in this location to the Waterfront Overlay requirements? What analysis and data was used to support this recommendation?*

6) *Parkland Dedication. Is this site eligible for fee-in-lieu payment of parkland dedication fee?*

7) *Staff report cites LUT P4 and LUT P7 of Imagine Austin are supported by this zoning request.*

- a. *P4 cites infill should be sensitive to the predominant character of the community. Tract is part of Waterfront Overlay and next to Zilker and Butler Shores park areas.*
  - i. *Given this context to parkland spaces and other nearby tracts developed with height limits as a scaling factor, please provide how P4 is supported by this MF6 requests as it relates to context sensitivity.*
- b. *P7 encourages infill that provides for mix of nearby uses in proximity to each other to maximize walking, biking, and transit opportunities.*
  - i. *Does this MF6 zoning request support the P7 goal through its proximity to the South Lamar BRT line?*
  - ii. *Would a V overlay similarly support P7 goal?*

This item is being postponed to the November 18, 2021 Council Meeting. Responses will be provided in that meeting's Question and Answers Report.



### Council Question and Answer

Related To

Item #2

Meeting Date

November 4, 2021

### Additional Answer Information

Authorize negotiation and execution of an amendment to an interlocal agreement with the Lower Colorado River Authority concerning laboratory testing services, to increase funding in the amount of \$1,000,000 for a revised total contract amount not to exceed \$2,700,000.

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

1. *The Toxic Pollutant List was developed in 1976 and added to the Clean Water Act by Congress in 1977. Does the laboratory testing contract test for toxic blue-green algae under this contract?*  
The laboratory contract includes testing for cyanotoxins, which are the toxic compounds produced by certain types of blue-green algae.
2. *How often is the water tested to comply with the Clean Water Act?*  
The federal Clean Water Act and the federal Safe Drinking Water Act both require water utilities to perform a wide range of routine testing, with frequencies ranging from daily, to weekly, monthly, and quarterly. This testing is also regulated by the Texas Commission on Environmental Quality (TCEQ). Austin Water's monitoring program fully complies with all federal and state testing requirements.
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### Council Question and Answer

**Related To**

**Item #3**

**Meeting Date**

November 4, 2021

### Additional Answer Information

Approve a resolution nominating Flextronics America, LLC 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.

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

1. *What is the estimated amount of refund of State sales and use tax that Flextronics would be eligible for based on the employment criteria and amount of the capital spent if this resolution is adopted by council?*

Per state statute, the State of Texas refunds \$2500.00 per job created or retained. Flextronics has committed to retaining 500 jobs, thus the math would be as follows:  $500 \times 2500.00 = \$1,250,000.00$  (over the life of the designation which is 5 years max). Thus, the maximum payout from the state back to Flextronics (or any other firm for that matter) would be no more than \$250,000.00 per year for 5 years. The refund is subject to Flextronics meeting their retained jobs commitment. Again, no city funds are part of the state's Enterprise Zone Program. It is purely a refund of the State's Sales tax.





### Council Question and Answer

**Related To**

**Item #4**

**Meeting Date**

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

1. *What was the criteria that the purchasing office used to determine that immixTechnology, Inc was the vendor best suited for this contract?*

This recommendation is for a cooperative contract, where the City uses a contract which was already competed by another government. The State of Texas Department of Information Resources (DIR) cooperative establishes competitively bid contracts that can be utilized by many other governments, including the City of Austin. Cooperative contracts save taxpayers money by leveraging volume-buying power to drive down costs on hundreds of contracts through a streamlined cooperative purchasing program. City staff reviewed multiple vendors within this cooperative program and requested a quote from two which offered this product. The recommended contractor, immixTechnology, Inc., provided the lowest quote for this procurement.

2. *Which other companies bid on the project? What were their bid amounts?*

The companies that provided quotes from their DIR cooperative contract are:

- immixTechnology, Inc – \$2,517,074.23 for 5 years
- The Arcanum Group, Inc. – \$2,627,052.84 for 5 years

3. *Please provide copies of the bids to council for review.*

The contents of the DIR contracts and any quotes made under those contracts are public record. FSD Purchasing is glad to share this information with the Council Member, and with any other Council Members and their staff, that wish to review these materials.



## Council Question and Answer

Related To

Item #5

Meeting Date

November 4, 2021

### Additional Answer Information

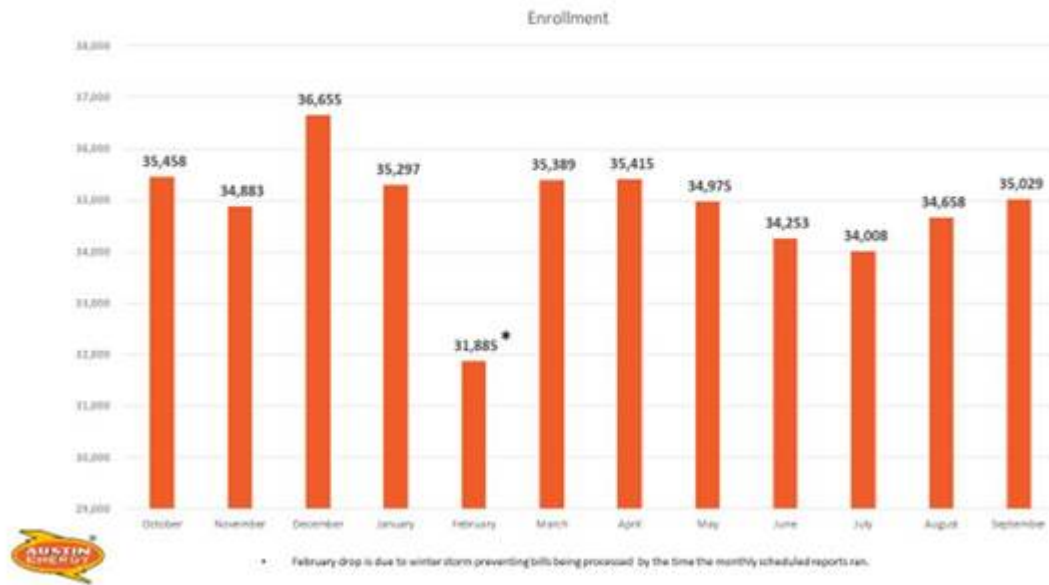
Authorize an amendment to a contract with Solix, Inc. for automatic enrollment administrator services, to increase the amount by \$7,250,000 and to extend the term by five years, for a revised total contract amount not to exceed \$12,424,700.

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

1. What is the average number of customers confirmed for the Utility Bill Discount Program annually?

The average number of customers confirmed for the Utility Bill Discount Program for Fiscal Year 2021 was 34,667 households.

## Discount Program







### Council Question and Answer

**Related To**

**Item #5**

**Meeting Date**

November 4, 2021

### Additional Answer Information

Authorize an amendment to a contract with Solix, Inc. for automatic enrollment administrator services, to increase the amount by \$7,250,000 and to extend the term by five years, for a revised total contract amount not to exceed \$12,424,700.

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

*1. What was the determining factor in amending the contract?*

The contract is expiring November 30, 2021. The amendment to the contract is necessary in order to maintain the complex infrastructure that has been created over the previous contract terms. For example, the multi-property process is unique to this infrastructure and would require a new entity to start from scratch which would delay the processing of automatic enrollment for up to a year.

*2. In the Recommendation for Action document, it states Funding for the remaining contract term is contingent upon available funding in future budgets. Will there be any issues related to the contract ending before its term if the City of Austin is unable to fund this in future budgets?*

Yes, the primary issue is that this is a tariff mandate from the 2012 rate case. If the funding was not made available by the City of Austin in future contract years, then enrollment into the programs would be significantly impacted until an internal infrastructure could be designed, built, and tested to begin enrolling customers. Like most City contracts however, this contract does contain a clause allowing the City to cancel without penalty if the funding were not available.



### Council Question and Answer

**Related To**

**Item #8**

**Meeting Date**

November 4, 2021

### Additional Answer Information

Authorize negotiation and execution of a multi-term contract with Level 3 Financing, Inc. d/b/a Level 3 Telecom Holdings, LLC to provide data and telecommunications services, for up to ten years for a total contract amount not to exceed \$7,000,000.

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

- 1) *In the recommendation for Action it states that the contract expired on October 30, 2021. Who is currently providing the services related to this contract? Is there a grace period?*

The recommended contract is with the same contractor supporting the current contract. Staff originally sought to place this item on the on the October 21, 2021 Council Agenda, to allow sufficient time to execute the new contract prior to the current contract's expiration on October 30, 2021. When this item was moved to the November 4, 2021 Agenda, to ensure there was no lapse in service, staff executed an amendment to extend the contract's term for an additional two weeks, through November 12, 2021. As there was sufficient unused expenditure authority under the current contract, the amendment was for additional time only.



### Council Question and Answer

**Related To**

**Item #10**

**Meeting Date**

November 4, 2021

### Additional Answer Information

Authorize negotiation and execution of a cooperative contract with CGI Technologies and Solutions, Inc., for infectious disease response software support, for a term of three years in an amount not to exceed \$5,470,042.

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

1. *How was the City of Austin previously tracking their response to infectious disease prior to the item coming before council?*

There are two state managed cloud-based systems that that are used by the local health departments and the state health department. One system, THISIS, is for managing reports of illness for sexually transmitted diseases and TB. The second, called NBS, manages the reports of 60 reportable conditions such as measles, mumps, salmonella and lyme disease. Neither of these systems provide a function for managing testing or vaccination appointments.

2. *What is the advantage of using this software in lieu of using the previous method for tracking?*

See a list of advantages below:

- a. Space – can store larger volume of records
- b. Increases Legibility – over time paper documents can become smudged, faded or damaged.
- c. Increase efficiency and speed of data analysis
- d. Accessibility
  - i. Instant access to records
  - ii. Shareability
- e. Improves security
  - i. Better encryption
  - ii. Confidentiality of data
  - iii. Integrity of data
  - iv. Audit trails
- f. Data backups
- g. Cloud based – access with internet connection



### Council Question and Answer

**Related To**

Item #11

**Meeting Date**

November 4, 2021

### Additional Answer Information

Authorize award of a contract with Consolidated Traffic Controls, Inc., to provide traffic signal network equipment, for a term of five years in an amount not to exceed \$6,740,000.

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

*1. Which traffic switches will be replaced under this contract?*

All existing 1,200 traffic switches will be replaced as part of this contract.

*2. What is the anticipated timeline for replacing these switches once the contract is approved?*

The City will place an order and begin replacing traffic switches once received from the contractor. Replacement is anticipated to take 12-18 months.

*3. When does a traffic switch reach the end of its lifecycle?*

The end of a switch's lifecycle is dependent on when a manufacturer stops supporting firmware updates particularly security updates. This is anticipated to be a minimum of 8-10 years.





### Council Question and Answer

Related To

Item #12

Meeting Date

November 4, 2021

### Additional Answer Information

Authorize negotiation and execution of all documents and instruments necessary to acquire in fee simple Lot 58, Block B, Enclave at Covered Bridge, according to the map or plat, recorded in Document No. 2015000145, Official Public Records, Travis County, Texas, located at 6700 Halesboro Drive, Austin, Texas from Evelyn L. Bassford a/k/a Evelyn Bassford Hull and Marvin Glenn Bassford, Trustee of the Marvin Bassford Trust, for a total amount not to exceed \$781,549, including closing costs.

### QUESTION/ANSWER: Council Member Fuentes's Office

1. *How much funding remains available in the 2018 bonds for parks and recreation purposes?*

Here's the breakout for all of Prop C for Parks and Recreation (in millions of \$):

Category	Appropriation	Encumbrances	Expenses	Balance	% Spent	Unassigned to Projects
<b>Aquatics</b>	40.0	1.9	2.3	35.8	6%	3.9
<b>Land Acquisition</b>	45.0	0.1	14.5	30.4	32%	21.3
<b>Park Improvements</b>	25.0	0.8	3.5	20.8	14%	6.7
<b>Building Renovations</b>	21.5	3.4	1.5	16.6	7%	7.3
<b>Infrastructure</b>	17.5	1.2	7.1	9.3	40%	5.1
<b>Total</b>	<b>149.0</b>	<b>7.3</b>	<b>28.9</b>	<b>112.8</b>	<b>19%</b>	<b>44.2</b>

The **balance** column is appropriation that isn't spent or under contract to date. The **unassigned to projects** column reflects our appropriation that has not been dedicated to a specific project or acquisition.



### Council Question and Answer

**Related To**

**Item #15**

**Meeting Date**

November 4, 2021

### Additional Answer Information

Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire two Temporary Working Space Easements: one easement being approximately 0.126 of an acre (5,476 sq. ft.) and 0.426 of an acre (18,559 sq. ft.) out of land situated in the William Bell Survey No. 802 in the City of Austin, Travis County, Texas, and being a portion of Lot 2, Austin Center/3M Subdivision, a subdivision of record in volume 87, Page 7B of the Plat Records, Travis County, Texas; the other easement being approximately 0.204 of an acre (8,865 sq. ft.) out of land situated in the J.W. Preece Survey Number 2 in the City of Austin, Travis County, Texas, and being a portion of Lot 4, Austin Center/3M Subdivision, a subdivision of record in volume 87, Page 7B of the Plat Records, Travis County, Texas, both easements located at 6801 River Place Boulevard, Austin, Texas 78750, from ATX Debt Fund 1, LLC in an amount not to exceed \$79,450, including closing costs.

### QUESTION/ANSWER: Council Member Kelly's Office

**1. What happens to the Temporary Working Space Easements after the work is completed?**

The temporary working space easements expire when their term ends. They are analogous to a lease. Once the work is completed, the sites will be restored prior to the expiration of the temporary easements.

**2. While I understand that a future item will be brought to Council to award the contract to construct the project, what is the estimated timeline for rehabilitation of the wastewater lines once a contract is awarded?**

Once a contract is awarded, it is estimated that all of the wastewater lines will be rehabilitated within 2 years.



### Council Question and Answer

**Related To**

Item #18

**Meeting Date**

November 4, 2021

### Additional Answer Information

Authorize award and execution of a construction contract with Flintco, LLC, for the AUS Cargo Development East project in the amount of \$16,584,000, plus a \$1,658,400 contingency, for a total contract amount not to exceed \$18,242,400. [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 12.73% MBE and 1.79% WBE participation.].

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

##### *1. What is the projected economic impact for the US Cargo Development East project?*

- The direct economic impact of the 90,000 SF multi-tenant cargo building is initially planned to generate \$500,000 in annual landing fee revenues and approximately \$1.8m in annual ground and facility rents.
  - These estimates are based on full operational use of the facility.
- The estimated employment growth to support the maximum cargo volume throughput in this new facility is estimated at 150 full time jobs
- Indirect benefit/value of the overall cargo volume to support the growth in high tech manufacturing and logistical support for commerce in the Austin community is not defined at this time.
- According to a 2017 TX DOT study, the economic impact of Airport in general was \$7.6b annually and supports 74,000 direct and indirect jobs.



### Council Question and Answer

**Related To**

Item #20

**Meeting Date**

November 4, 2021

### Additional Answer Information

Approve an ordinance amending Exhibit A to the Fiscal Year 2021-2022 City of Austin Fee and Fine Ordinance (Ordinance No. 20210811-002) to reduce the fire alarm system plan review and fire sprinkler plan review fees for 1-10 devices.

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

1. *Please provide details for why these two fee schedule errors were initially included in the FY22 budget.*

Large departments like Fire enter hundreds of numbers into spreadsheets during Budget development each year. The two numbers that were in error on the fee schedule were mistyped and no one caught it during the multiple layers of review by AFD and the Budget Office. Instead of increasing the fee for 1-10 devices for Fire Alarm System Plan Reviews and Fire Sprinkler System Plan Reviews from \$57 to \$58, incorrect numbers were entered. AFD will take additional care in the review of numbers during the budget development process in the future.





### Council Question and Answer

**Related To**

Item #30

**Meeting Date**

November 4, 2021

### Additional Answer Information

Authorize negotiation and execution of Amendment No. 14 to an agreement with Front Steps, Inc. to provide permanent supportive housing services for the period of October 1, 2021 through September 30, 2022, adding one 12-month extension option in an amount not to exceed \$111,149, for a revised total agreement amount not to exceed \$1,246,592.

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

1. *Please provide details regarding the deliverables of this specific contract and what this additional \$111,149 is anticipated to provide.*

The \$111,149 will be used to continue permanent supportive housing services to 52 clients through September 30, 2022. In addition to supporting existing clients, this funding will also be used to house new clients when there are open slots. The program services consist of: intensive case management; housing location, lease and housing stability support; skills training; weekly support groups; referrals to psychiatric services; support obtaining and maintaining primary health services; substance misuse services; and employment/income generation support services.



## Council Question and Answer

**Related To**

Item #33

**Meeting Date**

November 4, 2021

### Additional Answer Information

Approve a resolution authorizing negotiation and execution of a Local On-System Improvement Project Agreement with the Texas Department of Transportation in an amount not to exceed \$4,000,000, for the implementation of safety and mobility improvements on South Congress Avenue between Mockingbird Lane and Little Texas Lane.

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

1. *Please provide a list of high-crash intersections that have been identified across the City of Austin, their priority level and anticipated date of improvements to be made.*

Austin Transportation Department (ATD) staff developed a prioritization methodology to ensure the 2018 and 2020 Vision Zero bond funds are used effectively to make progress towards the goal of reducing serious injuries and fatalities due to car crashes. A two-step screening process uses comprehensive crash costs and engineering criteria to arrive at the top locations to move forward with more detailed analysis and into project development when appropriate. ATD staff, working with various partners, then scope, design, and implement crash reduction/mitigation strategies.

The attached document lists the top ~80 priority locations (chosen out of tens of thousands throughout the city) current status, and construction dates (if known/available/estimated).

2. *What are the specific proposed improvements to this intersection that are currently under design?*

The Congress Avenue/Stassney Lane Intersection Improvement project aims to increase safety and mobility for people driving, walking, biking, and taking transit, in the area between Mockingbird Lane and Little Texas Lane. The scope of the planned improvements include:

- Adding a second left turning lane for vehicles traveling on southbound Congress Avenue to eastbound Stassney Lane
- Adding raised concrete medians on Congress Avenue for improved access management
- Adding new left turn lane for vehicles on northbound Congress Avenue to Ainsworth Street
- Modifying existing triangular median islands at the northeast and southeast corners to smart-right channelized islands with raised crosswalks
- Adding and/or upgrading pedestrian ramps on all corners of the intersection and adding new continental crosswalks
- Adding new separated bicycle and pedestrian paths for improved connectivity and safer access for active modes
- Adding 6 new Capital Metro stops for safer and improved access to transit
- Associated signal infrastructure upgrades and, signal timing upgrades for safer and improved operations
- New pavement surface treatment and, new permanent pavement markings, signage

Location	Status	Construction Dates (if known/available)
N LAMAR BLVD, W RUNDBERG LN	Completed Project	Completed 2017
MENCHACA RD, W SLAUGHTER LN	Completed Project	Completed 2018
S PLEASANT VALLEY RD, SOUTH LAKESHORE BLVD	Completed Project	Completed 2018
CULLEN LN, W SLAUGHTER LN	Completed Project	Completed 2019
S 1ST ST, W SLAUGHTER LN	Completed Project	Completed 2019
MORROW ST, N LAMAR BLVD, N LAMAR BLVD SVRD NB, N LAMAR BLVD SVRD SB	Completed Project	Completed 2021
E ST JOHNS AVE, N IH 35 SVRD SB	Partner Project in Construction	Constructed by TxDOT
CAMERON RD, FERGUSON LN	In Design	Start construction early 2022
S 1ST ST, W STASSNEY LN	In Design	Start construction late 2022
RAMBLE LN, S CONGRESS AVE	In Design	Start construction late 2022
E STASSNEY LN, S CONGRESS AVE, W STASSNEY LN	In Design	Start construction late 2022
BURNET RD, GRACY FARMS LN, N MOPAC EXPY SVRD NB	In Review	Anticipated 2022/23
ED BLUESTEIN BLVD SVRD NB, SPRINGDALE RD	In Review	Anticipated 2022/23
E US 290 HWY SVRD EB, N SH 130 SVRD	In Review	Anticipated 2022/23
S LAMAR BLVD SVRD NB, WEST GATE BLVD	In Review	Anticipated 2022/23
E BEN WHITE BLVD SVRD EB, TODD LN	In Review	Anticipated 2022/23
FM 969 RD, REGENCY DR	In Review	Anticipated 2022/23
COMAL ST, E 7TH ST	In Review	Anticipated 2022/23
MEARNS MEADOW BLVD, RUTLAND DR	In Review	Anticipated 2022/23
ED BLUESTEIN BLVD SVRD SB, ED BLUESTEIN NB AT MANOR TRN, ED BLUESTEIN SB AT MANOR TRN, ED BLUESTEIN SB TO MANOR RAMP	In Review	Anticipated 2022/23
E 7TH ST, SPRINGDALE RD	In Review	Anticipated 2022/23
BURLESON RD	In Review	Anticipated 2022/23
DECKER LAKE RD, DECKER LN, LOYOLA LN	In Review	Anticipated 2022/23
CAMERON RD	In Review	Anticipated 2022/23
CAMERON RD, E ANDERSON LN SVRD WB	In Review	Anticipated 2022/23
MC CALLEN PASS, S HEATHERWILDE BLVD, W HOWARD LN	Interim Project Completed	Interim improvements completed 2019
CONGRESS AVE, E CESAR CHAVEZ ST, W CESAR CHAVEZ ST	For Future Review, Capital Project	Interim improvements completed in 2020
CROSSING PL, E RIVERSIDE DR	Interim Project Completed, Partnership Project	Interim improvements completed 2021
E RIVERSIDE DR, PARKER LN, SHORE DISTRICT DR	Interim Project Completed, Partnership Project	Interim improvements completed 2021
E RIVERSIDE DR (EB), S PLEASANT VALLEY RD	Interim Project Completed, Partnership Project	Interim improvements completed 2021
E RIVERSIDE DR (WB), S PLEASANT VALLEY RD	Interim Project Completed, Partnership Project	Interim improvements completed 2021
S 1ST ST, W WILLIAM CANNON DR	Crashes Mapped, CPO Project	Anticipated by 2024 (CPO)
BLUFF SPRINGS RD, E WILLIAM CANNON DR	Crashes Mapped, CPO Project	Anticipated by 2024 (CPO)
BURNET RD, RESEARCH BLVD SVRD NB, RESEARCH BLVD SVRD SB, RESEARCH SB AT BURNET RD TRN, RESEARCH SVRD NB AT BURNET TRN	Crashes Mapped, CPO Project	Anticipated by 2024 (CPO)
BARTON SPRINGS RD, S LAMAR BLVD	For Future Review, CPO Project	Anticipated by 2022 (CPO)
BRODIE LN, W WILLIAM CANNON DR	For Future Review, CPO Project	Anticipated by 2024 (CPO)
MANCHACA RD, W WILLIAM CANNON DR	For Future Review, CPO Project	Anticipated by 2024 (CPO)
AIRPORT BLVD, SPRINGDALE RD	For Future Review, CPO Project	Anticipated by 2024 (CPO)
CAMERON RD, CORONADO HILLS DR, MC KIE DR	Crashes Mapped, For Future Review	
DAVIS LN, MANCHACA RD, W DITTMAR RD	Crashes Mapped, For Future Review	
GUADALUPE ST, W 29TH ST	Crashes Mapped, Partnership Project	
E 15TH ST, N IH 35 SVRD SB	Crashes Mapped, Partnership Project	
E RIVERSIDE DR, S CONGRESS AVE, W RIVERSIDE DR	Crashes Mapped, Partnership Project	
DESSAU RD, E PARMER LN	Crashes Mapped, Partnership Project	
E PARMER LN, E YAGER LN	Crashes Mapped, Partnership Project	
E US 290 HWY SVRD EB, ED BLUESTEIN BLVD SVRD NB	For Future Review	
COLORADO ST, W 3RD ST	For Future Review	

ASHDALE DR, BURNET RD	For Future Review	
S MOPAC EXPY SVRD NB, S MOPAC EXPY SVRD SB, S MOPAC SB AT SOUTHWEST TRN, SOUTHWEST PKWY	For Future Review	
S MOPAC EXPY SVRD SB, W US 290 HWY SVRD EB	For Future Review	
MUELLER BLVD	For Future Review	
CLARKE ST, S 1ST ST, W BEN WHITE BLVD SVRD EB, W BEN WHITE BLVD SVRD WB, W BEN WHITE EB AT S 1ST TRN, W BEN WHITE SVRD WB AT 1ST	For Future Review	
E US 290 HWY SVRD WB, HARRIS BRANCH PKWY, US 290 E	For Future Review	
CAMERON RD, RUTHERFORD LN	For Future Review	
DESSAU RD, E BRAKER LN, SHROPSHIRE BLVD	For Future Review	
MC NEIL DR, W PARMER LN	For Future Review	
DESSAU RD, E BRAKER LN	For Future Review	
CHEVY CHASE DR, E ANDERSON LN SVRD EB	For Future Review	
E OLTORF ST, S PLEASANT VALLEY RD	For Future Review	
S CONGRESS AVE, W SLAUGHTER LN	For Future Review	
S PLEASANT VALLEY RD	For Future Review	
PRESIDENTIAL BLVD	For Future Review	
E KOENIG LN SVRD EB, N IH 35 SVRD SB	For Future Review, Partnership Project	
CLYDE LITTLEFIELD DR, MANOR RD, N IH 35 SVRD SB	For Future Review, Partnership Project	
E 38TH ST, N IH 35 SVRD SB	For Future Review, Partnership Project	
N CAPITAL OF TEXAS HWY, N MOPAC EXPY SVRD SB	For Future Review, Partnership Project	
E OLTORF ST, S IH 35 SVRD SB	For Future Review, Partnership Project	
E 50TH ST, E 51ST EB TO IH 35 SB RAMP, E 51ST ST, E 52ND ST, E 52ND TO 51ST WB RAMP, HARMON AVE, N IH 35 SVRD SB	For Future Review, Partnership Project	
BEN WHITE SVRD WB AT IH 35 TRN, E BEN WHITE BLVD SVRD WB, IH 35 SVRD SB AT BEN WHITE TRN, S IH 35 SVRD NB, S IH 35 SVRD SB	For Future Review, Partnership Project	
N LAMAR BLVD, W KOENIG LN	For Future Review, Partnership Project	
BRUSHY ST, E CESAR CHAVEZ ST, N IH 35 SVRD NB, N IH 35 SVRD SB	For Future Review, Partnership Project	
E PARMER LN	For Future Review, Partnership Project	
E BEN WHITE BLVD SVRD EB, E BEN WHITE BLVD SVRD WB, E BEN WHITE WB AT S CONGRE TRN, S CONGRESS AVE, W BEN WHITE BLVD SVRD EB, W	For Future Review, Partnership Project	
E ANDERSON EB TO IH 35 SB RAMP, E ANDERSON LN SVRD EB, E ANDERSON LN SVRD WB, N IH 35 NB AT E ANDERSON TRN, N IH 35 SB AT E	For Future Review, Partnership Project	
E RIVERSIDE DR	For Future Review, Partnership Project	
AIRPORT BLVD, AIRPORT NB TO IH 35 SV NB RAMP, AIRPORT TO IH 35 SVRD SB RAMP, AIRPORT TO IH 35 UD SB RAMP, CRESTWOOD RD,	For Future Review, Partnership Project	
S IH 35 SVRD SB, W SLAUGHTER LN	For Future Review, Partnership Project	
E RIVERSIDE DR, MONTOPOLIS DR	For Future Review, Partnership Projects	
N LAMAR BLVD, W POWELL LN	For Future Review, Partnership Projects	

**Notes on Status Fields:**

In Review: Project has been selected for scoping potential safety treatments; it is expected that some of these projects may advance from "In Review" to "In Design"

In Design: Project is in active detailed engineering design and will advance to construction

Crashes Mapped: Project crash mapping effort completed; it is expected some of these projects will advance to "In Review"

For Future Review: Project is on the prioritized list and will be evaluated in future; it is expected that some of these projects may advance to "In Review"

CPO Project: Project overlaps with a Corridor Program Office project location and will be implemented by CPO

Partnership Project: Project is being considered by partner agencies such as TxDOT, Capital Metro

Interim Project Completed: Small scale "interim" treatment have been addressed at this location

Location	Status	Construction Dates (if known/available)
N LAMAR BLVD, W RUNDBERG LN	Completed Project	Completed 2017
MENCHACA RD, W SLAUGHTER LN	Completed Project	Completed 2018
S PLEASANT VALLEY RD, SOUTH LAKESHORE BLVD	Completed Project	Completed 2018
CULLEN LN, W SLAUGHTER LN	Completed Project	Completed 2019
S 1ST ST, W SLAUGHTER LN	Completed Project	Completed 2019
MORROW ST, N LAMAR BLVD, N LAMAR BLVD SVRD NB, N LAMAR BLVD SVRD SB	Completed Project	Completed 2021
E ST JOHNS AVE, N IH 35 SVRD SB	Partner Project in Construction	Constructed by TxDOT
CAMERON RD, FERGUSON LN	In Design	Start construction early 2022
S 1ST ST, W STASSNEY LN	In Design	Start construction late 2022
RAMBLE LN, S CONGRESS AVE	In Design	Start construction late 2022
E STASSNEY LN, S CONGRESS AVE, W STASSNEY LN	In Design	Start construction late 2022
BURNET RD, GRACY FARMS LN, N MOPAC EXPY SVRD NB	In Review	Anticipated 2022/23
ED BLUESTEIN BLVD SVRD NB, SPRINGDALE RD	In Review	Anticipated 2022/23
E US 290 HWY SVRD EB, N SH 130 SVRD	In Review	Anticipated 2022/23
S LAMAR BLVD SVRD NB, WEST GATE BLVD	In Review	Anticipated 2022/23
E BEN WHITE BLVD SVRD EB, TODD LN	In Review	Anticipated 2022/23
FM 969 RD, REGENCY DR	In Review	Anticipated 2022/23
COMAL ST, E 7TH ST	In Review	Anticipated 2022/23
MEARNS MEADOW BLVD, RUTLAND DR	In Review	Anticipated 2022/23
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E RIVERSIDE DR (EB), S PLEASANT VALLEY RD	Interim Project Completed, Partnership Project	Interim improvements completed 2021
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BURNET RD, RESEARCH BLVD SVRD NB, RESEARCH BLVD SVRD SB, RESEARCH SB AT BURNET RD TRN, RESEARCH SVRD NB AT BURNET TRN	Crashes Mapped, CPO Project	Anticipated by 2024 (CPO)
BARTON SPRINGS RD, S LAMAR BLVD	For Future Review, CPO Project	Anticipated by 2022 (CPO)
BRODIE LN, W WILLIAM CANNON DR	For Future Review, CPO Project	Anticipated by 2024 (CPO)
MANCHACA RD, W WILLIAM CANNON DR	For Future Review, CPO Project	Anticipated by 2024 (CPO)
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GUADALUPE ST, W 29TH ST	Crashes Mapped, Partnership Project	
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E RIVERSIDE DR, S CONGRESS AVE, W RIVERSIDE DR	Crashes Mapped, Partnership Project	
DESSAU RD, E PARMER LN	Crashes Mapped, Partnership Project	
E PARMER LN, E YAGER LN	Crashes Mapped, Partnership Project	
E US 290 HWY SVRD EB, ED BLUESTEIN BLVD SVRD NB	For Future Review	
COLORADO ST, W 3RD ST	For Future Review	

ASHDALE DR, BURNET RD	For Future Review	
S MOPAC EXPY SVRD NB, S MOPAC EXPY SVRD SB, S MOPAC SB AT SOUTHWEST TRN, SOUTHWEST PKWY	For Future Review	
S MOPAC EXPY SVRD SB, W US 290 HWY SVRD EB	For Future Review	
MUELLER BLVD	For Future Review	
CLARKE ST, S 1ST ST, W BEN WHITE BLVD SVRD EB, W BEN WHITE BLVD SVRD WB, W BEN WHITE EB AT S 1ST TRN, W BEN WHITE SVRD WB AT 1ST	For Future Review	
E US 290 HWY SVRD WB, HARRIS BRANCH PKWY, US 290 E	For Future Review	
CAMERON RD, RUTHERFORD LN	For Future Review	
DESSAU RD, E BRAKER LN, SHROPSHIRE BLVD	For Future Review	
MC NEIL DR, W PARMER LN	For Future Review	
DESSAU RD, E BRAKER LN	For Future Review	
CHEVY CHASE DR, E ANDERSON LN SVRD EB	For Future Review	
E OLTORF ST, S PLEASANT VALLEY RD	For Future Review	
S CONGRESS AVE, W SLAUGHTER LN	For Future Review	
S PLEASANT VALLEY RD	For Future Review	
PRESIDENTIAL BLVD	For Future Review	
E KOENIG LN SVRD EB, N IH 35 SVRD SB	For Future Review, Partnership Project	
CLYDE LITTLEFIELD DR, MANOR RD, N IH 35 SVRD SB	For Future Review, Partnership Project	
E 38TH ST, N IH 35 SVRD SB	For Future Review, Partnership Project	
N CAPITAL OF TEXAS HWY, N MOPAC EXPY SVRD SB	For Future Review, Partnership Project	
E OLTORF ST, S IH 35 SVRD SB	For Future Review, Partnership Project	
E 50TH ST, E 51ST EB TO IH 35 SB RAMP, E 51ST ST, E 52ND ST, E 52ND TO 51ST WB RAMP, HARMON AVE, N IH 35 SVRD SB	For Future Review, Partnership Project	
BEN WHITE SVRD WB AT IH 35 TRN, E BEN WHITE BLVD SVRD WB, IH 35 SVRD SB AT BEN WHITE TRN, S IH 35 SVRD NB, S IH 35 SVRD SB	For Future Review, Partnership Project	
N LAMAR BLVD, W KOENIG LN	For Future Review, Partnership Project	
BRUSHY ST, E CESAR CHAVEZ ST, N IH 35 SVRD NB, N IH 35 SVRD SB	For Future Review, Partnership Project	
E PARMER LN	For Future Review, Partnership Project	
E BEN WHITE BLVD SVRD EB, E BEN WHITE BLVD SVRD WB, E BEN WHITE WB AT S CONGRE TRN, S CONGRESS AVE, W BEN WHITE BLVD SVRD EB, W	For Future Review, Partnership Project	
E ANDERSON EB TO IH 35 SB RAMP, E ANDERSON LN SVRD EB, E ANDERSON LN SVRD WB, N IH 35 NB AT E ANDERSON TRN, N IH 35 SB AT E	For Future Review, Partnership Project	
E RIVERSIDE DR	For Future Review, Partnership Project	
AIRPORT BLVD, AIRPORT NB TO IH 35 SV NB RAMP, AIRPORT TO IH 35 SVRD SB RAMP, AIRPORT TO IH 35 UD SB RAMP, CRESTWOOD RD,	For Future Review, Partnership Project	
S IH 35 SVRD SB, W SLAUGHTER LN	For Future Review, Partnership Project	
E RIVERSIDE DR, MONTOPOLIS DR	For Future Review, Partnership Projects	
N LAMAR BLVD, W POWELL LN	For Future Review, Partnership Projects	

**Notes on Status Fields:**

In Review: Project has been selected for scoping potential safety treatments; it is expected that some of these projects may advance from "In Review" to "In Design"

In Design: Project is in active detailed engineering design and will advance to construction

Crashes Mapped: Project crash mapping effort completed; it is expected some of these projects will advance to "In Review"

For Future Review: Project is on the prioritized list and will be evaluated in future; it is expected that some of these projects may advance to "In Review"

CPO Project: Project overlaps with a Corridor Program Office project location and will be implemented by CPO

Partnership Project: Project is being considered by partner agencies such as TxDOT, Capital Metro

Interim Project Completed: Small scale "interim" treatment have been addressed at this location



### Council Question and Answer

Related To

Item #38

Meeting Date

Xx x, 2021

### Additional Answer Information

Approve a resolution related to the geographic constraints and minimum intake requirements of the City's agreement with Austin Pets Alive! and directing the City Manager to negotiate certain terms for the operation of the Town Lake Animal Center facility.

#### QUESTION/ANSWER: Council Member Kelly's Office

1) *How many behaviorally challenged large dogs are surrendered to the animal shelter each month?*

In FY 20-21, 428 dogs were surrendered; 358 dogs were owner surrendered for behavior and 70 were surrendered for aggression. For FY 20-21, an average of about 35 dogs per month were surrendered for behavior or aggression.

2) *Has Austin's Animal Services Office ever failed to meet the save rate mandated by Council ordinance?*

The Austin Animal Center (AAC) has never failed to meet its live exit rate since its inception. AAC has maintained No-Kill status since 2012 and exceeded the 95% rate three years before it was mandated in 2019.

3) *What is Austin's Animal Service's Office's save rate?*

City Council adopted a 95% live exit rate and AAC is currently above the 95%. The National No Kill status is 90% live exit rate

4) *Has the Animal Center dropped below the mandated live exit rate since it was codified by ordinance?*

Austin Animal Center has maintained or exceeded the live exit rate.

5) *How many individuals affiliated with Austin Pets Alive currently serve on the Animal Advisory Commission?*

It is our understanding that two commissioners are fulltime employees of Austin Pets Alive and a third member is an officer on the APA board.

6) *Is there a current euthanasia list that is kept at the Animal Services Office? On average, how many animals are on that list per month?*

The Austin Animal Center does not keep an active euthanasia list. Euthanasia is performed only when an animal is determined to be irremediably suffering, facing a grave medical prognosis, or found to be a public safety risk.

7) *Is there an at-risk animal list? On average, how many animals are on that list per month? What types of animals are placed on this list?*

There is an at-risk list for dogs with behavior challenges or concerns. Per month, it may include five to 10 dogs. These are dogs with multiple bite histories, documented aggression or incidents where other animals were injured or killed. Also, if staff see a decline in a dog while in the shelter, then the safety of others may become a concern.

8) *How are these lists managed?*

The list is managed by the Behavior and Enrichment Team whose members evaluate all dogs. The team works with dogs to see where improvements can be made and what potential outcomes exist (adoption or rescue). Depending on the animal's history, the dog may be placed on APA! attention to be evaluated by their behavior team. If APA!, after the evaluation process, decides to decline rescuing the dog, then the Animal Services Leadership Team discusses the dog to identify other potential options, including putting out a notification for euthanasia if other placement options are not viable.

9) *What are the potential impacts to the City of Austin if Austin Pets Alive does not comply with the requirements of this resolution?*

**Answer (Office of Council Member Leslie Pool):** If the City of Austin loses its primary No-Kill community partner, Austin Pets Alive, the City loses its main support to save the animals that the City's shelter cannot save or cannot afford to save. Austin Pets Alive has the unique capability to support many vulnerable pets, including medically fragile animals with parvovirus, feline leukemia, ringworm, acute medical challenges, neo-natal puppies and kittens, as well as barn cats, and dogs with behavioral challenges, all of which might be at high-risk of euthanasia. Without our partnership with Austin Pets Alive, our live outcome rate is in jeopardy of slipping far below our stated goal of 95%. No-Kill as a policy, however, is more than just meeting live outcome numbers. The City of Austin cannot support No Kill on its own – community partnerships assists us to save vulnerable animals, promote education, grow foster programming, provide individual and family resources for medical care and training, and help with lost and found services. Strong community partnerships makes the No-Kill policy sustainable in Austin.

10) *Following passage of this resolution, staff will execute a contract with Austin Pets Alive. What would occur if Austin Pets Alive was out of compliance with the contract?*

a. *What steps would the City of Austin take to ensure compliance of the contract?*

Under Section 17 of the current license agreement, the City of Austin has the right to terminate the Agreement if APA fails to comply with the terms and conditions of the current license agreement. In the fifth amendment to the current agreement, staff agreed not to terminate the agreement for a failure to comply with the minimum intake requirement in Section 8.2(a).

If this resolution is passed as currently drafted, APA will be authorized to source animals from outside of the five county limit and the current agreement will need to be amended to reflect changes requested by Council.

Currently, no enforcement language has been agreed upon for the new 25-year term license agreement, which will need to be drafted with the assistance of the legal team.

b. *Would City Staff be responsible for taking action to ensure compliance of the contract, or does that lie on Council's discretion to act?*

Staff is responsible for ensuring compliance and taking appropriate actions under the contract if there are violations.





### Council Question and Answer

**Related To**

**Item #60**

**Meeting Date**

November 4, 2021

### Additional Answer Information

C14-2021-0009 - 1725 Toomey - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1725 Toomey Road (Lady Bird Lake Watershed). Applicant Request: To rezone from general commercial services (CS) district zoning to multifamily residence highest density (MF-6) district zoning. Staff Recommendation: To grant multifamily residence highest density (MF-6) district zoning. Planning Commission Recommendation: To be reviewed October 26, 2021. Owner/Applicant: 1725 Toomey LLC. Agent: Drenner Group PC (Amanda Swor). City Staff: Kate Clark, 512-974-1237.

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

1. Please provide an assessment of the impact on affordable housing of rezoning this site from CS to MF-6:
  - a. Are any affordable units proposed as part of the zoning request?
  - b. What is the level of rents for individuals living at this location currently? Is this level of rent below or at market rate for rentals in this area?
  - c. What level of rent would staff project for these units if the complex is built with the requested MF6 zoning?
  - d. Are the people currently living at the apartment complex eligible for relocation assistance? Why or why not?
  - e. What affordable housing program would the staff recommend be used for this site to secure affordable housing?
  - f. Please provide an Affordable Housing Assessment Report for the site.
2. V-Overlay
  - a. Given its close proximity to another nearby CS-V tract, its central location, and Council's desire to create opportunity for developer to engage existing density bonus programs, can Council add V to the existing CS zoning?
  - b. Is there an explicit prohibition from Council adding V to the existing CS zoning?
3. Heritage Tree Permit
  - a. The tree permit was granted on 11/20/20 based on damage to the existing building. When was the zoning case filed?  
*Pending*
4. Transportation Impact Statement
  - a. What are the estimated number of trips from this development if built at the requested zoning of MF6?

- b. When combined with existing use of Toomey Road by the residential and businesses along the road PLUS the projected trips for the Dougherty Arts Center and this development - what will be the estimated additional trips on Toomey Rd?
  - c. What is the total capacity of Toomey Rd?
  - d. How does adding additional trip capacity on Toomey Rd impact the Zilker Park Master Plan TIA planning process?
- 5. What is staff's rationale for recommending a variance in this location to the Waterfront Overlay requirements? What analysis and data was used to support this recommendation?
- 6. Parkland Dedication. Is this site eligible for fee-in-lieu payment of parkland dedication fee?
- 7. Staff report cites LUT P4 and LUT P7 of Imagine Austin are supported by this zoning request.
  - a. P4 cites infill should be sensitive to the predominant character of the community. Tract is part of Waterfront Overlay and next to Zilker and Butler Shores park areas.
    - i. Given this context to parkland spaces and other nearby tracts developed with height limits as a scaling factor, please provide how P4 is supported by this MF6 requests as it relates to context sensitivity.
  - b. P7 encourages infill that provides for mix of nearby uses in proximity to each other to maximize walking, biking, and transit opportunities.
    - i. Does this MF6 zoning request support the P7 goal through its proximity to the South Lamar BRT line?
    - ii. Would a V overlay similarly support P7 goal?

This item is being postponed to the November 18, 2021 Council Meeting. Responses will be provided in that meeting's Question and Answers Report.