



**July 28, 2022**

## 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 Josè "Chito" Vela, 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 #7:** Authorize execution of an interlocal agreement with Austin Community College (ACC) for the ACC Fashion Incubator for a three-year term for a total agreement amount not to exceed \$165,000.

MAYOR PRO TEM ALTER'S OFFICE

1) *What other cooperative activities or interlocal agreements or fund sharing do we have in place with ACC?*

As of July 26, 2022, the Finance Department online database shows that there are currently 4 active master agreements with Austin Community College not including the ACC Fashion incubator agreement which is currently expired. Please reference the chart below for additional information on the 4 active agreements. The agreements highlighted in the gray boxes below designate agreements the City requested of ACC for service delivery.

The Economic Development Department is consulting with the Purchasing Office for any additional agreements the City may have with Austin Community College and will supplement this answer as necessary.

Agreement Name	Lead Department	Agreement Value	Agreement Type	Agreement Description
Impact Lab	Economic Development Department (EDD)	\$150,000.00	Matching Grant  Federal Share \$750,000  Local Match (All Community Partners) \$817,683.00  City of Austin Portion \$50,000.00/year for 3 years	Authorize negotiation and execution of an interlocal agreement with Austin Community College to provide matching funds for the Austin Community College's Innovative Manufacturing Prototype Acceleration Central Texas Lab i6 challenge grant awarded by the U.S. Economic Development Authority in partnership with the Austin Technology Incubator with the University of Texas at Austin to foster and incubate economic development in priority target industries and promote job creation

Highland Mall -ACC	Austin Water	\$1,460,660.00	Service Contract	Authorize the negotiation and execution of a cost participation agreement with the Austin Community College District for the City to reimburse the Austin Community College District for an amount not to exceed \$1,460,660 for costs associated with the design and construction of an oversized wastewater main and appurtenances related to Service Extension Request No. 3145 that will provide wastewater service to a proposed mixed-use development located at 5900 Airport Boulevard.
Childcare Quality Improvement	Austin Public Health	\$356,649.00	Service Contract	Authorize negotiation and execution of Amendment No. 8 to an interlocal agreement with Austin Community College to provide childcare quality improvement services, to add two 12-month extension options each in an amount not to exceed \$51,128, for a revised total agreement amount not to exceed \$356,649
Center for Non-profit Studies at Austin Community College (CNS)	Austin Public Health	\$285,456.00	Service Contract	The Center for Nonprofit Studies at Austin Community College (CNS) provides organizational development and capacity building services to up to 8 agencies identified by the City of Austin. Services provided by CNS align with agency missions including providing the highest possible level of professional and volunteer development and organizational capacity building; and sustaining a strong and effective nonprofit community in Austin Community College's service area.

**Item #25:** Authorize negotiation and execution of a contract with Able Moving LLC d/b/a Able Machinery Movers LLC to provide relocation services of industrial electrical inventory, in an amount not to exceed \$550,000.

MAYOR PRO TEM ALTER'S OFFICE

1) *How did the original bid compare to the final contract?*

The amount offered by the recommended contractor for these services was \$448,400 and accepted by the City. The amount requested in the RCA includes this amount plus contingency.

**Item #33:** Authorize award and execution of a construction contract with Alpha Paving Industries, LLC, for the Street Rehabilitation Phase 3 Indefinite Delivery/Indefinite Quantity No. 4 contract in the amount of \$6,000,000 for an initial one-year term, with a one-year extension option of \$6,000,000, for a total contract amount not to exceed \$12,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.86% MBE and 1.76% WBE participation.]

COUNCIL MEMBER FUENTES'S OFFICE

1) *Please list the projects in District 2 that will be part of this street rehabilitation phase.*

The Public Works Department current street rehabilitation program includes three projects located in District 2:

- South 1st Street from Stassney Lane to William Cannon Drive,
- Nuckols Crossing Road from Thaxton Road to Charles Merle Drive, and
- Thaxton Road from Nuckols Crossing Road to Salt Springs Drive.

***The South 1st Street from Stassney Lane to William Cannon Drive will be completed under the construction contract with Alpha Paving under Item 33.*** The other two projects, Nuckols Crossing Road from Thaxton Road to Charles Merle Drive and Thaxton Road from Nuckols Crossing Road to Salt Springs Drive, have already been completed under a different contract.

**Item #38:** Authorize award and execution of a construction contract with Austin Underground, Inc. (MBE) for the Onion Creek Reclaimed Water Main Phase 1 project in the amount of \$8,252,332 plus a \$825,234 contingency, for a total contract amount not to exceed \$9,077,566. [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 85.97% MBE and 0.95% WBE participation.]

COUNCIL MEMBER FUENTES'S OFFICE

1) *How will the area residents be notified of construction impacts?*

During the construction phase of the Onion Creek Reclaimed Water Main Phase 1 project, Public Information Office (PIO) staff from the Public Works Department and Austin Water will be issuing notifications and updating the progress and impacts of the pipeline construction to the residents.

### **Item #42 and 43:**

42. Ratify a contract amendment with Executive Information Systems LLC for business analytics software platform support and maintenance, for an increase in the amount of \$54,538, for a revised total contract amount not to exceed \$286,320.

43. Authorize negotiation and execution of a multi-term cooperative contract with Executive Information Systems LLC to provide business analytics software platform support and maintenance, for up to three years for a total contract amount not to exceed \$280,000.

MAYOR PRO TEM ALTER'S OFFICE

*1) How do Items 42 and 43 relate to each other?*

Item 42 is a ratification for an overspend on prior contract with Executive Information Systems LLC that has expired. Item 43 is the new five-year contract with Executive Information Systems LLC that will replace the previous contract listed in Item 42.

### **Items #75/76:**

75. Authorize negotiation and execution of an agreement with Family Eldercare to provide permanent supportive housing services in an amount not to exceed \$1,170,000 for a 12-month period with four twelve-month extension options, for a total agreement amount not to exceed \$5,850,000.

76. Authorize negotiation and execution of an agreement with Foundation Communities to provide permanent supportive housing services in an amount not to exceed \$900,000 for a 12-month program period with four 12-month extension options, for a total agreement amount not to exceed \$4,500,000.

COUNCIL MEMBER KELLY'S OFFICE

*1) Can we please see the agreements?*

This Council item/action is requesting to negotiate the contracts/agreements, thus are not ready for review.

**Item #79:** Approve an ordinance amending the Fiscal Year 2021-2022 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to accept and appropriate \$10,000 in additional grant funds from the Corporation for National and Community Service for the AmeriCorps Volunteers in Service to America Program.

COUNCIL MEMBER FUENTES'S OFFICE

*1) What projects are the AmeriCorps volunteers currently working on?*

Below is a summary of the projects

**The Andy Roddick Foundation Communications VISTA** worked to enhance the outreach and engagement of ARF's communication channels, which allows the Foundation to spread its message and secure funding for its various educational programs.

**The Andy Roddick Foundation Learn All the Time VISTA** increases program quality of the Learn All the Time Network by establishing systems, tools, and trainings and developing curricula and policies that are child-centered and focus on racial equity. The Learn All the Time Network is a group of 25+ nonprofit and public entities serving at-risk youth in out-of-school time programs.

**The Asian-American Resource Center Community Services VISTA** bolsters the AARC's volunteer program, increases partnerships with community groups, and promotes AARC programs and services to Asian-American communities.

**The Austin Public Health Age-Friendly Austin VISTA** will increase the reach of Age-Friendly Austin to low-income and underrepresented communities and increasing age-friendly programming in eight targeted ZIP codes.

**The Austin Public Health Community Youth Development VISTA** works on managing the Community Collaborative Committee (CCC) and creating a sustainability plan to help the Dove Springs community take over management of the CCC after the VISTA project concludes.

**The Austin Public Health Data Coordination VISTA** has established standards and trainings for the APH open data portal, as well as made improvements to the portal itself. The goal of the open data portal is to help APH and individuals make data-informed decisions around public health.

**The Austin Public Health Early Childhood VISTA** supports the child care programs that serve children receiving subsidies and have been negatively impacted by COVID-19. It also hopes to increase enrollment of low-income youth and families in Bright By Text (BBT) by creating a new, comprehensive outreach plan.

**The Austin Public Health Fast Track Cities VISTA** has worked to increase engagement in the Fast Track Cities Action Plan and help partner groups achieve the goals of the Action Plan through promotional materials, trainings, and more. The Action Plan is a collection of community drive strategies that have been identified to address critical health needs for people living with or at risk of acquiring HIV.

**The Austin Nature & Science Center Teen Programs VISTA** aims to create a progressive teen program that focuses on developing job readiness skills for participants as young as 12 years of age and prepares participants to work for the Austin Parks and Recreation Department (PARC) and the City of Austin.

**The Austin Resource Recovery Repair Education VISTA** seeks to reduce waste, promote education, and help those in need by teaching low-income Austin residents how to repair the goods they own.

**The African-American Youth Harvest Foundation Tech Programs VISTA** aims to increase enrollment in technology certification programs to aid disadvantaged youth in the ability to gain technological knowledge with hands-on experience.

**The Carver Museum Education VISTA** creates marketing strategies to promote the museum's educational opportunities (classes, workshops, events, tours, etc.) to communities of color in and outside of the Austin/Travis County area about the Carver's educational opportunities (classes, workshops, events, tours, etc.).

**The Carver Museum Exhibit VISTA** works to promote the Carver Museum to low-income communities and increase accessibility to the museum's collections by digitizing them. They also partner with the Carver Museum Education VISTA to develop a volunteer docent program targeted to low-income/working-class youth interested in gaining valuable job experience in the arts or a museum setting.

**The CPIO Language Access VISTA** works to increase support and implementation of language access services city-wide through such actions as creating marketing materials and training City employees.

**The Dougherty Arts Center Outreach & Engagement VISTA** is creating and implementing a teen program called Works in Progress that's targeted towards low-income youth interested in a career in the arts. They also work to increase accessibility to DAC programming.

**The Greater Austin Reading Coalition VISTA** will work to promote and increase attendance for United Way for Greater Austin's Greater Austin Reading Coalition early education program, especially in regards to low-income and underrepresented communities. They will also improve the curriculum of GARC's summer learning program.

**The Housing & Planning Data Analysis VISTA** works to refine the Affordable Housing Search Tool and promote its use to the public. This tool connects community members in need of low-income housing to available income-restricted housing options, not just those provided by the City of Austin.

**The Housing & Planning Displacement Prevention VISTA** seeks to curb the displacement of East Austin residents caused by gentrification. They create and promote learning opportunities that target a variety of priority populations such as BIPOC renters, senior homeowners, low-wage workers, LGBTQ people, people with disabilities, families with school-age children, youth who are homeless, and/or people who were formerly incarcerated.

**The Mayor's Office VISTA** works on a variety of projects related to the Mayor's Office's goal of reducing suicide among service members, veterans, and their families. They also work on developing pilot interventions for people experiencing homelessness.

**The Austin Parks and Recreation Planning VISTA** works to implement, evaluate, and improve an outreach and engagement plan for Cities Connecting Children and Nature (CCCN) program activities, with the goal of providing more educational and recreational programming to young people in low income parks. CCCN is a national initiative that seeks to create more equitable and abundant access to nature in cities.

**The Youth Initiatives Office VISTA** aims to collect data and create outreach plans to help Youth Initiatives increase equity in their programs and internships by targeting under-represented neighborhoods and communities.

**The Zilker Botanical Gardens Community Garden VISTA** aims to increase the number of community gardens in low-income and food insecure communities, as well as making it easier for non-English speakers to use these gardens.

**Item #80:** Approve negotiation and execution of an agreement with FUSE Corps to place two executive fellows within the Homeless Strategy Division to support the Division's missions, for a term ending in May 2023 in an amount not to exceed \$90,000.

#### COUNCIL MEMBER KELLY'S OFFICE

*1) Please provide the matrix results from this RFP. Have we ever worked with FUSE Corp. previously?*

FUSE Corps is a national nonprofit that pairs Executive Fellows with local governments for a one-year term to advance specific initiatives. The City was not required to conduct an RFP to partner with FUSE Corps. Rather, the City applied to FUSE to be selected as a placement site for Executive Fellows.

The fellows are employees of FUSE; local governments benefit from the program by paying only a portion of the cost of each fellow. The City of Austin has partnered with the Fuse Corps in the past. specifically, in 2021, the Housing and Planning Department, the Economic Development Department, and Austin Public Health were paired with Executive FUSE Fellows on specific projects.

This year, the Homeless Strategy Division (HSD) was selected as a host agency for two Executive FUSE Fellows to support two time-bound initiatives. HSD will only have to contribute 25% of each Fellow's salary and associated costs, and FUSE will be contributing the remaining 75%.

One of the Executive FUSE Fellows is supporting HSD to identify organizational capacity needs, effectively deploy the \$3.0 million in American Rescue Plan Act funding for organizational capacity, and catalog best practices and learnings to inform future capacity building efforts by



the City and/or Community, including the Ending Community Homelessness Coalition. This FUSE Fellows work will help ensure our nonprofits are equipped with the tools necessary to scale proven programs that will help our community move the needle on homelessness.

The second Executive FUSE Fellow will be developing a long-term financial sustainability plan for the Homelessness Response System that will detail the all the funding streams that currently flow in the Homelessness Response System, project future resource needs of the Homelessness Response System, and identify opportunities to further leverage existing private and public funding streams and tap into new funds streams to support the array of programs within the Homelessness Response System.

The benefits of partnering with FUSE Corps include:

- Additional Capacity: The FUSE Fellows are adding needed short-term capacity to the HSD team to support short-term initiatives
- Leveraging Issue Area Expertise: HSD was able to identify two FUSE fellows with skills sets and professional experiences that aligns with their specific scopes of work
- Cost-effectiveness: The City is leveraging funds from FUSE to pay for 75% of the staffing cost for the FUSE fellows.

**Item #85:** Authorize negotiation and execution of an amendment to an interlocal agreement with the Capital Metropolitan Transportation Authority for the co-management of MetroBike, a dock-based bike share system, for the purpose of enhancing and expanding MetroBike to increase funding by \$475,000 for a total agreement amount not to exceed \$14,750,000 over a ten-year term.

#### COUNCIL MEMBER FUENTES'S OFFICE

1) *Please provide map of current MetroBike service area denoting stations.*

This [link](#) will show the current service area and stations.

2) *Please provide additional details as to how the stated operational goal of expanding the MetroBike fleet and stations by three times would be accomplished. What area is envisioned for this expansion? And please provide details on timeline.*

The timeline of the expansion aligns with the amended ILA and shall be complete within 6-10 years. It depends on how quickly bike networks come online, Project Connect is built out, and what we learn through our extensive community engagement efforts. Once the ILA is approved and finalized, our next step is to work through a strategic expansion plan that will rely on community engagement. The goal is to develop a continuously-flexible expansion plan that uses weighted prioritization for identifying an equitable approach to MetroBike expansion over the next 10 years. The 10 indicators we have identified to date include (in no particular order):

- Bicycle Network Access
- Safe Streets/ Crash density
- Displacement risk to residents
- Populations with higher mobility need/limited access
- Future infrastructure
- Micromobility trip activity
- System Continuity

- Transit Supportiveness
- Health Outcomes
- Ridership Propensity

**Item #92:** Approve a resolution relating to an affordable housing general obligation bond for the November 2022 election.

MAYOR ADLER'S OFFICE

1) *Please provide the tax impact data for a \$350 and \$400 million bond.*

The table below provides the estimated increase to the debt service portion of the tax rate and annual impact to the typical homeowner for the original \$300 million bond proposal as well as \$350 million and \$400 million. As communicated in the memo from July 21, 2022, the typical homeowner is currently defined as a home assessed at \$448,000 with a taxable value of \$358,400 (net of homestead exemption).

Scenario	\$300M	\$350M	\$400M
Rate Impact	\$0.0112	\$0.0130	\$0.0149
Typical Homeowner Annual Impact	\$40.14	\$46.59	\$53.40

**Item #96:** Approve a resolution directing the City Manager to initiate amendments to City Code Section 3-4-7 related to the ownership of vicious dogs.

COUNCIL MEMBER HARPER MADISON'S OFFICE

1) *Are there differences in the application of City Code Section 3-4-7 versus Chapter 822 of the Texas Public Health and Safety Code pertaining to "Dangerous Dogs"?*

There is not much difference between City Code 3-4-7 and Chapter 822 of the Texas Public Health and Safety. Chapter 822 is meant to provide guidelines for any local government that may not have a dangerous dog ordinance in place. Chapter 822 allows for any local government to enact their own ordinance so long as it is not breed specific or has more stringent restrictions than what is outlined in Chapter 822.

2) *Would the proposed amendments to City Code Section 3-4-7 effect current shelter operations and/or procedures?*

The proposed amendments allow for dangerous dog cases and vicious dog cases to be handled similarly and consistently. Currently, staff are overseeing two different processes for these cases. There will be an initial effect to operations as more inspections will need to occur for both designations. However, staff feel that having a consistent process for both designations will have a positive effect in overall operations and expectations from the community

**Item #102:** Set a public hearing to be conducted in accordance with Texas Parks and Wildlife Code Chapter 26 to consider a resolution authorizing changes in use of dedicated parkland, known as Jimmy Clay Golf Course, Roy Kizer Golf Course, Onion Creek Soccer Complex, and Onion Creek Metropolitan Park (north and south entrances), for Austin Water to construct, operate, maintain, and repair approximately 17,000 linear feet of reclaimed water main. The water main will require permanent use of approximately 175,136 square feet for operation, maintenance, and repair of the water main and approximately 662,128 square feet of temporary use area for construction. (Suggested date and location: September 1, 2022, Austin City Hall, 301 W. Second Street, Austin, TX.).

MAYOR PRO TEM ALTER'S OFFICE

- 1) *Please provide additional detail on how the \$818,542 in mitigation will be used to make improvements in the parks impacted by the construction?*

The PARD Golf Division intends to use the \$332,530 of mitigation funding from this project on a pump and control system that serves the existing ponds in the golf course. The pump has been out of commission for several years and this funding will resolve this issue. They also will use this funding to seal the existing ponds so they no longer leak, which would reduce water loss.

The remaining \$486,014 of mitigation funding could be used at Onion Creek Metro Park and the list below are potential candidates for this funding.

- Phase 2 improvements within the developed portion at 8652 Nuckols Crossing including (2) pavilions with picnic tables and a kiosk to add a trail map and park rules.
- Trail improvements, including signs to delineate equestrian trails and multi-use trails.
- Securing existing cultural features such as cisterns including fencing and interpretive signs.

Any of these improvements would be coordinated with the Onion Creek Metro Park District for maintenance responsibilities.

**Item #103:** Discussion regarding direction to identify potential funding to reinstate the license plate reader program at the Austin Police Department, return to Council with any necessary actions for Council to appropriate the funding for this purpose, to re-evaluate and implement necessary and appropriate changes to the former policy and/or procedure on license plate readers, and to include funding in the upcoming Fiscal Year budget for continuation of the license plate reader program.

COUNCIL MEMBER FUENTES'S OFFICE

- 1) *Is the database accessible to state and federal agencies?*

The information obtained by use of LPRs is the property of APD. Information will only be provided by our Austin Regional Information Center (ARIC) to agencies who have a law enforcement need for the information.

- 2) *How will this impact the issuance of Class-C misdemeanor tickets?*

LPRs will not impact the issuance of Class C citations. APD policy prohibits the use of LPRs for any type of warrant round-up operations or any operations focused on the collection of past due fees and/or fines.

*3) Are there currently privately-owned companies that scan license plates in Travis County or in the State of Texas that APD has access to?*

There are privately owned companies that scan license plates in Travis County and the State; however, APD does not have access to private databases. Privately-owned companies pay a vendor for the LPRs and APD would have to enter an agreement/service contract with these vendors for access.

*4) Are other law enforcement agencies operating in Travis County currently utilizing this technology?*

LPRs are widely used across the country but APD does not have a list of other agencies operating LPRs.

*5) Is there any possibility of these records being released to the public or sold?*

No. APD policy prohibits the selling, transferring, or distribution to any non-law enforcement entity.

*6) How was this system helpful during the four years that APD utilized the license plate readers? Please provide examples.*

Please see the attachment. This document has also been provided as backup to item 103 and is titled "May 23, 2022 Public Safety Committee Presentation".

**Item #132:** C814-89-0003.02 - 305 S. Congress - Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 305 South Congress Avenue (Lady Bird Lake Watershed). Applicant's Request: To rezone from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning, to change conditions of zoning. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. First Reading approved with additional conditions on April 7, 2022. Vote: 10-0, Council Member Harper-Madison was off the dais. Owner / Applicant: Richard T. Suttle, Jr., Trustee. Agent: Armbrust & Brown PLLC (Richard T. Suttle, Jr.). City Staff: Jerry Rusthoven, 512-974-3207.

#### COUNCIL MEMBER TOVO'S OFFICE

*1) Does a redlined version of the existing PUD ordinance exist, or is this ordinance intended to replace Does a redlined version of the existing PUD ordinance exist, or is this ordinance intended to replace the existing PUD ordinance in its entirety?*

This item is being postponed to September 1, 2022. All responses will be provided in the September 1, 2022 Council Q&A Report.

*2) Please identify any part or subsection in the draft Statesman PUD ordinance where applicant is requesting a fee waiver or other public subsidy.*

This item is being postponed to September 1, 2022. All responses will be provided in the September 1, 2022 Council Q&A Report.

- 3) *Is there any inundated acreage, ie. land under the surface of Lady Bird Lake, included within the totals for parkland for this project? If so, how much?*

This item is being postponed to September 1, 2022. All responses will be provided in the September 1, 2022 Council Q&A Report.

- 4) *Is there precedent for allowing parcels to be set aside for water quality, flood, or other controls that serve adjacent or nearby development and still count these as dedicated parkland? If so, please identify the section of City code that addresses this situation.*

This item is being postponed to September 1, 2022. All responses will be provided in the September 1, 2022 Council Q&A Report.

- 5) *The applicant proposes to dedicate 6.53 acres of parkland and another 1.59 acres of plaza, for a total dedication of 8.12 acres of open space.*

- a. How much of this total acreage includes water quality areas that cannot be developed?
- b. How much of the proposed dedicated parkland would, as provided in the draft PUD ordinance, be occupied by the following uses:
  - i. the proposed cistern (below the surface of the park)
  - ii. raingardens serving as water quality controls for the development
  - iii. any other water quality controls required for the proposed development (if there are any water quality control elements other than the cistern and raingardens)

This item is being postponed to September 1, 2022. All responses will be provided in the September 1, 2022 Council Q&A Report.

- 6) *Please confirm that the trail easement along Ladybird Lake will remain as an alternative path to the boardwalk.*

This item is being postponed to September 1, 2022. All responses will be provided in the September 1, 2022 Council Q&A Report.

- 7) *How will the public access the trail easement during the period when the site is under construction?*

This item is being postponed to September 1, 2022. All responses will be provided in the September 1, 2022 Council Q&A Report.

- 8) *Is there any other place along Lady Bird Lake that uses a boardwalk for reasons other than avoiding cliffs, bridge abutments or other features that make it difficult or extremely expensive to keep the trail on land? If so, please identify each of these locations and how they were funded.*

This item is being postponed to September 1, 2022. All responses will be provided in the September 1, 2022 Council Q&A Report.

- 9) *Is the internal plaza or a similar feature required for adequate fire access to the proposed PUD buildings? Is it required for any other development purposes? Is this plaza being counted as "dedicated park land" under the proposed PUD ordinance (and if so, how much)?*

This item is being postponed to September 1, 2022. All responses will be provided in the September 1, 2022 Council Q&A Report.

**Item #168:** Authorize an amendment of the exclusive negotiation agreement with Aspen Heights Partners for the redevelopment of 1215 Red River Street and 606 East 12th Street, the former Health South tract, to extend the agreement through September 30, 2022.

COUNCIL MEMBER TOVO'S OFFICE

*1) Does the Best and Final Offer (BOFA) from Aspen Heights increase the number of affordable housing units? Does it increase the percentage? Please provide information about the number and percentage of affordable units included within the BOFA for this City-owned site.*

Staff defers to Aspen Heights to answer this question. Aspen Heights provided the following response: *The BAFO from Aspen Heights maintains the 116 on-site affordable housing units outlined in the original proposal. With the modification of the project to provide additional residential and remove the office component and for sale component of the project, the project maintained the 116 on-site affordable units and shifted the units that were originally proposed at 80% MFI to 50% and 60% MFI. The offer today contemplates 1, 2 and 3 bedroom units provided at 50% and 60% MFI. These units are all provided with no subsidies and modifications requested to the City. Aspen Heights can achieve additional on-site affordable housing by utilizing and reinvesting ground lease and impact/development fees that would otherwise be paid to the City and repurposing those for on-site affordable housing at no cost to the City of Austin. Addendum: The 2022 BAFO currently includes a total of 116 affordable units which is 12.6% of the total 921 units offered in both the North and South towers. At present, the affordable units are all contained within the North Tower to ensure the quickest delivery to market based on our proposed construction schedule phasing.*

*2) Does the Aspen Heights proposal commit to meeting the City's living wage standard for employees of any onsite commercial businesses on this City-owned site?*

Staff defers to Aspen Heights to answer this question. Aspen Heights provided the following response: *this offer does not include a living wage requirement for all tenants. Aspen Heights has explored this option and is unable to make this commitment due to the challenges in enforcing accountability. Aspen Heights explored the Austin-Bergstrom International Airport model with operator DelawareNorth. This would require Aspen Heights to own all retail operations and license with local retailers for brand names and operational guidance. This model is not compatible with the competitive market in downtown Austin.*

*3) Did staff negotiate for more affordable housing on this City-owned site?*

Yes, City staff sought affordable housing from the developer in the range of 25-45% in accordance with the Exclusive Negotiation Agreement (ENA) between the City and Aspen Heights. Please see Article III, Section 3.01(b)(i) of the [City-Aspen Heights ENA](#), which is posted on the [1215 Red River project website](#).

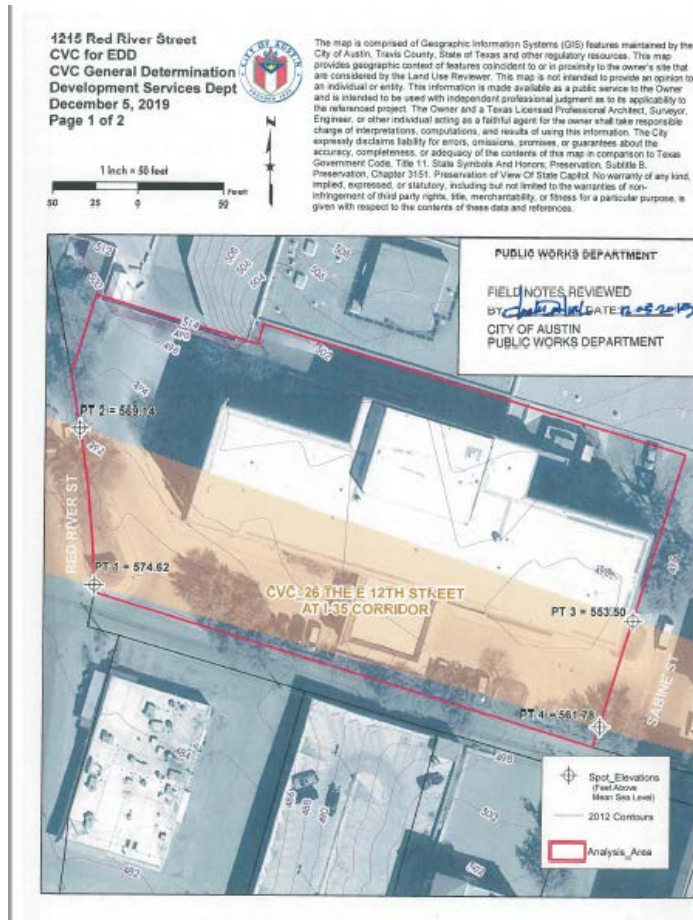
*4) Do staff believe we could achieve more affordable housing and more community benefits, including permanently affordable childcare space, if we let the extension expire and pursue a different method of redeveloping the City-owned Health South tract?*

If Council seeks greater community benefits than what Aspen Heights' Best and Final Offer provides, City staff does believe greater community benefits can be achieved by restarting the project and requiring the specific benefits Council seeks for this property.

The developer provided the following response: Aspen Heights was the winning bidder in an open, competitive RFP bid in a more-stable economic environment and has upheld their commitment as well as implemented additional community benefits throughout the past 2 years of tumultuous economic conditions. Should the City let the agreement expire and pursue a new bid in drastically changed economic times compared to 2019, it is unlikely that the yield to the City would be mirrored in a bid in today's economic climate. Additionally, should the City pursue an internal method of development, many factors also need to be considered. This project contains a variety of requirements, resulting in a mixed use project that city entities and private affordable-housing developers are not necessarily accustomed to providing (high rise mixed use products to maximize the yield to the City or in delivering products of this magnitude). It is unknown if a different entity could provide the currently-offered amount of on-site affordable housing without any subsidies or City money. Furthermore, it is important to note that with Aspen Heights' control over the adjacent FFA property, Aspen Heights is at an advantage and other developers or entities could not achieve the proposed density without the adjacent property. Finally, regarding the permanent Affordable Childcare space, Aspen Heights maintains the commitment in the BAFO and now proposes to provide the City of Austin with a Right of First Refusal on the childcare space at the end of 36-months of good-faith effort by Aspen Heights to secure an appropriate operator. Upon the City accepting the ROFR, the Affordable Childcare space would be permanently controlled by the City of Austin.

*5) How much of the City-owned Health South tract falls outside of the Capitol View Corridor?*

In the exhibit, provided as an addendum to RFP5500-SMW3002, the shaded area reflects the impact of Capitol View Corridor (CVC) 26, the East 12<sup>th</sup> Street at I-35 Corridor, on the former Health South tracts at 1215 Red River Street and its garage at 606 East 12<sup>th</sup> Street.



6) Does the Aspen Heights proposal include a provision that allows for profit-sharing, in a similar manner to the City's agreements for Mueller, 2<sup>nd</sup> Street District, and Seaholm?

Staff defers to Aspen Heights to answer this question. Aspen Heights provided the following response: Aspen Heights has presented a project that fully meets the requirements of the RFP and the guiding principles behind our bid. A bid that includes profit sharing would be a modification to the entire bid. If this is important to the City, Aspen Heights is willing to discuss this with City Staff but this would result in a fundamental modification to the overall bid and guaranteed revenue to the City.

**Item #168:** Authorize an amendment of the exclusive negotiation agreement with Aspen Heights Partners for the redevelopment of 1215 Red River Street and 606 East 12th Street, the former Health South tract, to extend the agreement through September 30, 2022.

MAYOR ADLER'S OFFICE

1) What additional community benefits can be derived from the developer in exchange for (1) the full lease payment offered under the Best and Final Offer and (2) the difference between the lease payment offered and city financial obligations?



Staff defers to Aspen Heights to answer this question. Aspen Heights provided the following response: Aspen Heights has been able to evaluate the second part of this question with real numbers and can confirm that the difference between the lease payment and the city financial obligation would result in the delta being reinvested into the project for affordable housing. With this reinvestment the project would be able to double the amount of affordable housing and provide a minimum of 116 additional affordable housing units at the 50% and 60% MFI level. We anticipate that these units would be provided in the south tower to provide affordable units in both towers. This would equate to 232 units or approximately 25% of the proposed project being affordable. Aspen Heights has not had the chance to evaluate the first option in depth which includes reinvesting the total lease payment back into the project. However, based on the numbers provided above we can anticipate that this approach would result in approximately 312 additional onsite affordable housing units being added to the project split between the north and south towers at 50% and 60% MFI. This would equate to approximately 428 total onsite affordable housing units. Additional time would be needed to fully vet these numbers.

**Item #189:** Authorize negotiation and execution of an agreement with the Austin Area Urban League to operate the Southbridge Bridge Shelter program for a thirteen and a half month term beginning August 15, 2022, in an amount not to exceed \$4,218,750.

COUNCIL MEMBER KELLY'S OFFICE

1) *What experience does Austin Area Urban League have with running a shelter?*

Austin Area Urban League is currently engaged in homeless street outreach thorough a contract with ECHO. Additionally, they have staff, on hand, who have the experience of running a 24-hour facility. For the past two winters, AAUL have operated multiple warming shelters throughout Austin Travis County.

**Item #190:** Authorize negotiation and execution of an agreement with Urban Alchemy to operate the Austin Resource Center for the Homeless (ARCH) shelter for a thirteen and a half month term, beginning August 15, 2022, in an amount not to exceed \$4,143,350.

COUNCIL MEMBER KELLY'S OFFICE

1) *What experience does Urban Alchemy have with running a shelter?*

Urban Alchemy has 4 years' experience in serving the most vulnerable populations and underserved areas in California. These included the Oakland, Sausalito, Hunters Point, Tenderloin and Mid-Market communities in the San Francisco area and Skid Row, South Central, Central Ave. Corridor, Downtown, Venice, and Hollywood communities in Los Angeles. Their work includes extensive engagement with individuals experiencing homelessness, chronic homelessness, mental health challenges, and substance abuse issues.

Over the course of the last 4 years, Urban Alchemy has operated various types of interim housing and shelter. Their current programs include:

- 3 tiny home villages
- 1 safe sleep village (aka, sanctioned encampment)
- 1 hotel-based shelter
- 1 safe parking program
- 

In addition, during the height of the pandemic Urban Alchemy operated 3 other safe sleep villages, 1 congregate shelter and 3 shelter-in place hotels.

**Item #190:** Authorize negotiation and execution of an agreement with Urban Alchemy to operate the Austin Resource Center for the Homeless (ARCH) shelter for a thirteen and a half month term, beginning August 15, 2022, in an amount not to exceed \$4,143,350.

#### COUNCIL MEMBER TOVO'S OFFICE

*1) Please provide a list of all organizations that were invited to attend the informational meeting about this contract.*

*2) Please provide a list of all attendees of the aforementioned meeting.*

*3) Were other organizations who were not invited to attend the meeting provided information about how to apply for this contract? If so, when was that information distributed?*

Due to the high sensitivity of the situation, APH Director called each of the identified agencies directly to discuss the situation, gauge interest, and inform them of the meeting. The invitees leaned heavily on APHs' recent applicants to Homeless Services RPF(s). Those who submitted applications and presented capacity were invited. We also considered; agencies currently serving the populations served within the respective contracts in need. During a stakeholder meeting on July 18, 2022, the following organizations were present: Urban Alchemy, Austin Area Urban League, ECHO, Caritas of Austin, Foundation Communities, Integral Care, Sunrise Community Church, The Other Ones Foundation, and Family Eldercare. The Director was unable to contact the appropriate representative for Salvation Army, so they were not in attendance.

On July 19, APH contacted the Salvation Army and provided the APH urgent need/ask and the information on how to submit a letter of interest via email.



### Council Question and Answer

Related To

Item #7

Meeting Date

July 28, 2022

### Additional Answer Information

**Item #7:** Authorize execution of an interlocal agreement with Austin Community College (ACC) for the ACC Fashion Incubator for a three-year term for a total agreement amount not to exceed \$165,000.

#### MAYOR PRO TEM ALTER'S OFFICE

1) *What other cooperative activities or interlocal agreements or fund sharing do we have in place with ACC?*

As of July 26, 2022, the Finance Department online database shows that there are currently 4 active master agreements with Austin Community College not including the ACC Fashion incubator agreement which is currently expired. Please reference the chart below for additional information on the 4 active agreements. The agreements highlighted in the gray boxes below designate agreements the City requested of ACC for service delivery.

The Economic Development Department is consulting with the Purchasing Office for any additional agreements the City may have with Austin Community College and will supplement this answer as necessary.

Agreement Name	Lead Department	Agreement Value	Agreement Type	Agreement Description
Impact Lab	Economic Development Department (EDD)	\$150,000.00	Matching Grant	Authorize negotiation and execution of an interlocal agreement with Austin Community College to provide matching funds for the Austin Community College's Innovative Manufacturing Prototype Acceleration Central Texas Lab i6 challenge grant awarded by the
			Federal Share \$750,000	
			Local Match (All Community Partners) \$817,683.00	
			City of Austin Portion \$50,000.00/year for 3 years	

				U.S. Economic Development Authority in partnership with the Austin Technology Incubator with the University of Texas at Austin to foster and incubate economic development in priority target industries and promote job creation
Highland Mall - ACC	Austin Water	\$1,460,660.00	Service Contract	Authorize the negotiation and execution of a cost participation agreement with the Austin Community College District for the City to reimburse the Austin Community College District for an amount not to exceed \$1,460,660 for costs associated with the design and construction of an oversized wastewater main and appurtenances related to Service Extension Request No. 3145 that will provide wastewater service to a proposed mixed-use development located at 5900

				Airport Boulevard.
Childcare Quality Improvement	Austin Public Health	\$356,649.00	Service Contract	Authorize negotiation and execution of Amendment No. 8 to an interlocal agreement with Austin Community College to provide childcare quality improvement services, to add two 12-month extension options each in an amount not to exceed \$51,128, for a revised total agreement amount not to exceed \$356,649
Center for Non-profit Studies at Austin Community College (CNS)	Austin Public Health	\$285,456.00	Service Contract	The Center for Nonprofit Studies at Austin Community College (CNS) provides organizational development and capacity building services to up to 8 agencies identified by the City of Austin. Services provided by CNS align with agency missions including providing the highest possible level of professional and volunteer development and organizational capacity building; and sustaining a

				strong and effective nonprofit community in Austin Community College's service area.
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2)



### Council Question and Answer

**Related To**

Item #25

**Meeting Date**

July 28, 2022

### Additional Answer Information

**Item #25:** Authorize negotiation and execution of a contract with Able Moving LLC d/b/a Able Machinery Movers LLC to provide relocation services of industrial electrical inventory, in an amount not to exceed \$550,000. (Note: This contract is exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

MAYOR PRO TEM ALTER'S OFFICE

1) *How did the original bid compare to the final contract?*

The amount offered by the recommended contractor for these services was \$448,400 and accepted by the City. The amount requested in the RCA includes this amount plus contingency.



### Council Question and Answer

Related To

Item #33

Meeting Date

July 28, 2022

### Additional Answer Information

**Item #33:** Authorize award and execution of a construction contract with Alpha Paving Industries, LLC, for the Street Rehabilitation Phase 3 Indefinite Delivery/Indefinite Quantity No. 4 contract in the amount of \$6,000,000 for an initial one-year term, with a one-year extension option of \$6,000,000, for a total contract amount not to exceed \$12,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 7.86% MBE and 1.76% WBE participation.]

#### COUNCIL MEMBER FUENTES'S OFFICE

1) *Please list the projects in District 2 that will be part of this street rehabilitation phase.*

The Public Works Department current street rehabilitation program includes three projects located in District 2:

- South 1st Street from Stassney Lane to William Cannon Drive,
- Nuckols Crossing Road from Thaxton Road to Charles Merle Drive, and
- Thaxton Road from Nuckols Crossing Road to Salt Springs Drive.

***The South 1st Street from Stassney Lane to William Cannon Drive will be completed under the construction contract with Alpha Paving under Item 33.*** The other two projects, Nuckols Crossing Road from Thaxton Road to Charles Merle Drive and Thaxton Road from Nuckols Crossing Road to Salt Springs Drive, have already been completed under a different contract.





### Council Question and Answer

**Related To**

Item #38

**Meeting Date**

July 20, 2022

### Additional Answer Information

**Item #38:** Authorize award and execution of a construction contract with Austin Underground, Inc. (MBE) for the Onion Creek Reclaimed Water Main Phase 1 project in the amount of \$8,252,332 plus a \$825,234 contingency, for a total contract amount not to exceed \$9,077,566. [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 85.97% MBE and 0.95% WBE participation.]

#### COUNCIL MEMBER FUENTES'S OFFICE

##### 1) *How will the area residents be notified of construction impacts?*

During the construction phase of the Onion Creek Reclaimed Water Main Phase 1 project, Public Information Office (PIO) staff from the Public Works Department and Austin Water will be issuing notifications and updating the progress and impacts of the pipeline construction to the residents.



### Council Question and Answer

**Related To**

Items #42 and #43

**Meeting Date**

July 28, 2022

### Additional Answer Information

#### **Items #42 and 43:**

42. Ratify a contract amendment with Executive Information Systems LLC for business analytics software platform support and maintenance, for an increase in the amount of \$54,538, for a revised total contract amount not to exceed \$286,320.

43. Authorize negotiation and execution of a multi-term cooperative contract with Executive Information Systems LLC to provide business analytics software platform support and maintenance, for up to three years for a total contract amount not to exceed \$280,000.

#### **MAYOR PRO TEM ALTER'S OFFICE**

##### *1) How do Items 42 and 43 relate to each other?*

Item 42 is a ratification for an overspend on prior contract with Executive Information Systems LLC that has expired. Item 43 is the new five-year contract with Executive Information Systems LLC that will replace the previous contract listed in Item 42.



### Council Question and Answer

**Related To**

Item #75/76

**Meeting Date**

July 28, 2022

### Additional Answer Information

#### **Item #75/76:**

75. Authorize negotiation and execution of an agreement with Family Eldercare to provide permanent supportive housing services in an amount not to exceed \$1,170,000 for a 12-month period with four twelve-month extension options, for a total agreement amount not to exceed \$5,850,000.

76. Authorize negotiation and execution of an agreement with Foundation Communities to provide permanent supportive housing services in an amount not to exceed \$900,000 for a 12-month program period with four 12-month extension options, for a total agreement amount not to exceed \$4,500,000.

#### **COUNCIL MEMBER KELLY'S OFFICE**

##### **1) *Can we please see the agreements?***

This Council item/action is requesting to negotiate the contracts/agreements, thus are not ready for review.



### Council Question and Answer

Related To

Item #79

Meeting Date

July 28, 2022

### Additional Answer Information

**Item #79:** Approve an ordinance amending the Fiscal Year 2021-2022 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20210811-001) to accept and appropriate \$10,000 in additional grant funds from the Corporation for National and Community Service for the AmeriCorps Volunteers in Service to America Program.

COUNCIL MEMBER FUENTES'S OFFICE

1) *What projects are the AmeriCorps volunteers currently working on?*

Below is a summary of the projects

**The Andy Roddick Foundation Communications VISTA** worked to enhance the outreach and engagement of ARF's communication channels, which allows the Foundation to spread its message and secure funding for its various educational programs.

**The Andy Roddick Foundation Learn All the Time VISTA** increases program quality of the Learn All the Time Network by establishing systems, tools, and trainings and developing curricula and policies that are child-centered and focus on racial equity. The Learn All the Time Network is a group of 25+ nonprofit and public entities serving at-risk youth in out-of-school time programs.

**The Asian-American Resource Center Community Services VISTA** bolsters the AARC's volunteer program, increases partnerships with community groups, and promotes AARC programs and services to Asian-American communities.

**The Austin Public Health Age-Friendly Austin VISTA** will increase the reach of Age-Friendly Austin to low-income and underrepresented communities and increasing age-friendly programming in eight targeted ZIP codes.

**The Austin Public Health Community Youth Development VISTA** works on managing the Community Collaborative Committee (CCC) and creating a sustainability plan to help the Dove Springs community take over management of the CCC after the VISTA project concludes.

**The Austin Public Health Data Coordination VISTA** has established standards and trainings for the APH open data portal, as well as made improvements to the portal itself. The goal of the open data portal is to help APH and individuals make data-informed decisions around public health.

**The Austin Public Health Early Childhood VISTA** supports the child care programs that serve children receiving subsidies and have been negatively impacted by COVID-19. It also hopes to increase enrollment of low-income youth and families in Bright By Text (BBT) by creating a new, comprehensive outreach plan.

**The Austin Public Health Fast Track Cities VISTA** has worked to increase engagement in the Fast Track Cities Action Plan and help partner groups achieve the goals of the Action Plan through promotional materials, trainings, and more. The Action Plan is a collection of community drive strategies that have been identified to address critical health needs for people living with or at risk of acquiring HIV.

**The Austin Nature & Science Center Teen Programs VISTA** aims to create a progressive teen program that focuses on developing job readiness skills for participants as young as 12 years of age and prepares participants to work for the Austin Parks and Recreation Department (PARC) and the City of Austin.

**The Austin Resource Recovery Repair Education VISTA** seeks to reduce waste, promote education, and help those in need by teaching low-income Austin residents how to repair the goods they own.

**The African-American Youth Harvest Foundation Tech Programs VISTA** aims to increase enrollment in technology certification programs to aid disadvantaged youth in the ability to gain technological knowledge with hands-on experience.

**The Carver Museum Education VISTA** creates marketing strategies to promote the museum's educational opportunities (classes, workshops, events, tours, etc.) to communities of color in and outside of the Austin/Travis County area about the Carver's educational opportunities (classes, workshops, events, tours, etc.).

**The Carver Museum Exhibit VISTA** works to promote the Carver Museum to low-income communities and increase accessibility to the museum's collections by digitizing them. They also partner with the Carver Museum Education VISTA to develop a volunteer docent program targeted to low-income/working-class youth interested in gaining valuable job experience in the arts or a museum setting.

**The CPIO Language Access VISTA** works to increase support and implementation of language access services city-wide through such actions as creating marketing materials and training City employees.

**The Dougherty Arts Center Outreach & Engagement VISTA** is creating and implementing a teen program called Works in Progress that's targeted towards low-income youth interested in a career in the arts. They also work to increase accessibility to DAC programming.

**The Greater Austin Reading Coalition VISTA** will work to promote and increase attendance for United Way for Greater Austin's Greater Austin Reading Coalition early education program, especially in regards to low-income and underrepresented communities. They will also improve the curriculum of GARC's summer learning program.

**The Housing & Planning Data Analysis VISTA** works to refine the Affordable Housing Search Tool and promote its use to the public. This tool connects community members in need of low-income housing to available income-restricted housing options, not just those provided by the City of Austin.

**The Housing & Planning Displacement Prevention VISTA** seeks to curb the displacement of East Austin residents caused by gentrification. They create and promote learning opportunities that target a variety of priority populations such as BIPOC renters, senior homeowners, low-wage workers, LGBTQ people, people with

disabilities, families with school-age children, youth who are homeless, and/or people who were formerly incarcerated.

**The Mayor's Office VISTA** works on a variety of projects related to the Mayor's Office's goal of reducing suicide among service members, veterans, and their families. They also work on developing pilot interventions for people experiencing homelessness.

**The Austin Parks and Recreation Planning VISTA** works to implement, evaluate, and improve an outreach and engagement plan for Cities Connecting Children and Nature (CCCN) program activities, with the goal of providing more educational and recreational programming to young people in low income parks. CCCN is a national initiative that seeks to create more equitable and abundant access to nature in cities.

**The Youth Initiatives Office VISTA** aims to collect data and create outreach plans to help Youth Initiatives increase equity in their programs and internships by targeting under-represented neighborhoods and communities.

**The Zilker Botanical Gardens Community Garden VISTA** aims to increase the number of community gardens in low-income and food insecure communities, as well as making it easier for non-English speakers to use these gardens.





### Council Question and Answer

Related To

Item #80

Meeting Date

July 28, 2022

### Additional Answer Information

**Item #80:** Approve negotiation and execution of an agreement with FUSE Corps to place two executive fellows within the Homeless Strategy Division to support the Division's missions, for a term ending in May 2023 in an amount not to exceed \$90,000.

#### COUNCIL MEMBER KELLY'S OFFICE

##### 1) *Please provide the matrix results from this RFP.*

FUSE Corps is a national nonprofit that pairs Executive Fellows with local governments for a one-year term to advance specific initiatives. The City was not required to conduct an RFP to partner with FUSE Corps. Rather, the City applied to FUSE to be selected as a placement site for Executive Fellows.

The fellows are employees of FUSE; local governments benefit from the program by paying only a portion of the cost of each fellow. This year, the Homeless Strategy Division (HSD) was selected as a host agency for two Executive FUSE Fellows to support two time-bound initiatives. HSD will only have to contribute 25% of each Fellow's salary and associated costs, and FUSE will be contributing the remaining 75%.

One of the Executive FUSE Fellows is supporting HSD to identify organizational capacity needs, effectively deploy the \$3.0 million in American Rescue Plan Act funding for organizational capacity, and catalog best practices and learnings to inform future capacity building efforts by the City and/or Community, including the Ending Community Homelessness Coalition. This FUSE Fellow's work will help ensure our nonprofits are equipped with the tools necessary to scale proven programs that will help our community move the needle on homelessness.

The second Executive FUSE Fellow will be developing a long-term financial sustainability plan for the Homelessness Response System that will detail all the funding streams that currently flow in the Homelessness Response System, project future resource needs of the Homelessness Response System, and identify opportunities to further leverage existing private and public funding streams and tap into new funds streams to support the array of programs within the Homelessness Response System.

The benefits of partnering with FUSE Corps include:

- *Additional Capacity:* The FUSE Fellows are adding needed short-term capacity to the HSD team to support short-term initiatives
- *Leveraging Issue Area Expertise:* HSD was able to identify two FUSE fellows with skills sets and professional experiences that aligns with their specific scopes of work
- *Cost-effectiveness:* The City is leveraging funds from FUSE to pay for 75% of the staffing cost for the FUSE fellows.

2) *Have we ever worked with FUSE Corp. previously?*

The City of Austin has partnered with the Fuse Corps in the past. specifically, in 2021, the Housing and Planning Department, the Economic Development Department, and Austin Public Health were paired with Executive FUSE Fellows on specific projects.





## Council Question and Answer

Related To

Item #85

Meeting Date

July 28, 2022

### Additional Answer Information

**Item #85:** Authorize negotiation and execution of an amendment to an interlocal agreement with the Capital Metropolitan Transportation Authority for the co-management of MetroBike, a dock-based bike share system, for the purpose of enhancing and expanding MetroBike to increase funding by \$475,000 for a total agreement amount not to exceed \$14,750,000 over a ten-year term.

#### COUNCIL MEMBER FUENTES'S OFFICE

- 1) *Please provide map of current MetroBike service area denoting stations.*

This [link](#) will show the current service area and stations.

- 2) *Please provide additional details as to how the stated operational goal of expanding the MetroBike fleet and stations by three times would be accomplished. What area is envisioned for this expansion? And please provide details on timeline.*

The timeline of the expansion aligns with the amended ILA and shall be complete within 6-10 years. It depends on how quickly bike networks come online, Project Connect is built out, and what we learn through our extensive community engagement efforts. Once the ILA is approved and finalized, our next step is to work through a strategic expansion plan that will rely on community engagement. The goal is to develop a continuously-flexible expansion plan that uses weighted prioritization for identifying an equitable approach to MetroBike expansion over the next 10 years. The 10 indicators we have identified to date include (in no particular order):

- Bicycle Network Access
- Safe Streets/ Crash density
- Displacement risk to residents
- Populations with higher mobility need/limited access
- Future infrastructure
- Micromobility trip activity
- System Continuity
- Transit Supportiveness
- Health Outcomes
- Ridership Propensity



### Council Question and Answer

**Related To**

Item #92

**Meeting Date**

July 28, 2022

### Additional Answer Information

**Item #92:** Approve a resolution relating to an affordable housing general obligation bond for the November 2022 election.

#### MAYOR ADLER'S OFFICE

1) *Please provide the tax impact data for a \$350 and \$400 million bond.*

The table below provides the estimated increase to the debt service portion of the tax rate and annual impact to the typical homeowner for the original \$300 million bond proposal as well as \$350 million and \$400 million. As communicated in the memo from July 21, 2022, the typical homeowner is currently defined as a home assessed at \$448,000 with a taxable value of \$358,400 (net of homestead exemption).

Scenario	\$300M	\$350M	\$400M
<b>Rate Impact</b>	\$0.0112	\$0.0130	\$0.0149
<b>Typical Homeowner Annual Impact</b>	\$40.14	\$46.59	\$53.40



### Council Question and Answer

Related To

Item #96

Meeting Date

July 28, 2022

### Additional Answer Information

**Item #96:** Approve a resolution directing the City Manager to initiate amendments to City Code Section 3-4-7 related to the ownership of vicious dogs.

#### COUNCIL MEMBER HARPER MADISON'S OFFICE

- 1) *Are there differences in the application of City Code Section 3-4-7 versus Chapter 822 of the Texas Public Health and Safety Code pertaining to "Dangerous Dogs"?*

There is not much difference between City Code 3-4-7 and Chapter 822 of the Texas Public Health and Safety. Chapter 822 is meant to provide guidelines for any local government that may not have a dangerous dog ordinance in place. Chapter 822 allows for any local government to enact their own ordinance so long as it is not breed specific or has more stringent restrictions than what is outlined in Chapter 822.

- 2) *Would the proposed amendments to City Code Section 3-4-7 effect current shelter operations and/or procedures?*

The proposed amendments allow for dangerous dog cases and vicious dog cases to be handled similarly and consistently. Currently, staff are overseeing two different processes for these cases. There will be an initial effect to operations as more inspections will need to occur for both designations. However, staff feel that having a consistent process for both designations will have a positive effect in overall operations and expectations from the community



### Council Question and Answer

Related To

Item #102

Meeting Date

July 28, 2022

### Additional Answer Information

**Item #102:** Set a public hearing to be conducted in accordance with Texas Parks and Wildlife Code Chapter 26 to consider a resolution authorizing changes in use of dedicated parkland, known as Jimmy Clay Golf Course, Roy Kizer Golf Course, Onion Creek Soccer Complex, and Onion Creek Metropolitan Park (north and south entrances), for Austin Water to construct, operate, maintain, and repair approximately 17,000 linear feet of reclaimed water main. The water main will require permanent use of approximately 175,136 square feet for operation, maintenance, and repair of the water main and approximately 662,128 square feet of temporary use area for construction. (Suggested date and location: September 1, 2022, Austin City Hall, 301 W. Second Street, Austin, TX.).

#### MAYOR PRO TEM ALTER'S OFFICE

- 1) *Please provide additional detail on how the \$818,542 in mitigation will be used to make improvements in the parks impacted by the construction?*

The PARD Golf Division intends to use the \$332,530 of mitigation funding from this project on a pump and control system that serves the existing ponds in the golf course. The pump has been out of commission for several years and this funding will resolve this issue. They also will use this funding to seal the existing ponds so they no longer leak, which would reduce water loss.

The remaining \$486,014 of mitigation funding could be used at Onion Creek Metro Park and the list below are potential candidates for this funding.

- Phase 2 improvements within the developed portion at 8652 Nuckols Crossing including (2) pavilions with picnic tables and a kiosk to add a trail map and park rules.
- Trail improvements, including signs to delineate equestrian trails and multi-use trails.
- Securing existing cultural features such as cisterns including fencing and interpretive signs.

Any of these improvements would be coordinated with the Onion Creek Metro Park District for maintenance responsibilities.





### Council Question and Answer

**Related To**

Item #168

**Meeting Date**

July 28, 2022

### Additional Answer Information

**Item #168:** Authorize an amendment of the exclusive negotiation agreement with Aspen Heights Partners for the redevelopment of 1215 Red River Street and 606 East 12th Street, the former Health South tract, to extend the agreement through September 30, 2022.

#### MAYOR ADLER'S OFFICE

- 1) *What additional community benefits can be derived from the developer in exchange for (1) the full lease payment offered under the Best and Final Offer and (2) the difference between the lease payment offered and city financial obligations?*

Staff defers to Aspen Heights to answer this question. Aspen Heights provided the following response: Aspen Heights has been able to evaluate the second part of this question with real numbers and can confirm that the difference between the lease payment and the city financial obligation would result in the delta being reinvested into the project for affordable housing. With this reinvestment the project would be able to double the amount of affordable housing and provide a minimum of 116 additional affordable housing units at the 50% and 60% MFI level. We anticipate that these units would be provided in the south tower to provide affordable units in both towers. This would equate to 232 units or approximately 25% of the proposed project being affordable. Aspen Heights has not had the chance to evaluate the first option in depth which includes reinvesting the total lease payment back into the project. However, based on the numbers provided above we can anticipate that this approach would result in approximately 312 additional onsite affordable housing units being added to the project split between the north and south towers at 50% and 60% MFI. This would equate to approximately 428 total onsite affordable housing units. Additional time would be needed to fully vet these numbers.



## Council Question and Answer

Related To

Item #168

Meeting Date

July 28, 2022

## Additional Answer Information

**Item #168:** Authorize an amendment of the exclusive negotiation agreement with Aspen Heights Partners for the redevelopment of 1215 Red River Street and 606 East 12th Street, the former Health South tract, to extend the agreement through September 30, 2022.

### COUNCIL MEMBER TOVO'S OFFICE

*1) Does the Best and Final Offer (BOFA) from Aspen Heights increase the number of affordable housing units? Does it increase the percentage? Please provide information about the number and percentage of affordable units included within the BOFA for this City-owned site.*

Staff defers to Aspen Heights to answer this question. Aspen Heights provided the following response: *The BAFO from Aspen Heights maintains the 116 on-site affordable housing units outlined in the original proposal. With the modification of the project to provide additional residential and remove the office component and for sale component of the project, the project maintained the 116 on-site affordable units and shifted the units that were originally proposed at 80% MFI to 50% and 60% MFI. The offer today contemplates 1, 2 and 3 bedroom units provided at 50% and 60% MFI. These units are all provided with no subsidies and modifications requested to the City. Aspen Heights can achieve additional on-site affordable housing by utilizing and reinvesting ground lease and impact/development fees that would otherwise be paid to the City and repurposing those for on-site affordable housing at no cost to the City of Austin. Addendum: The 2022 BAFO currently includes a total of 116 affordable units which is 12.6% of the total 921 units offered in both the North and South towers. At present, the affordable units are all contained within the North Tower to ensure the quickest delivery to market based on our proposed construction schedule phasing.*

*2) Does the Aspen Heights proposal commit to meeting the City's living wage standard for employees of any onsite commercial businesses on this City-owned site?*

Staff defers to Aspen Heights to answer this question. Aspen Heights provided the following response: *this offer does not include a living wage requirement for all tenants. Aspen Heights has explored this option and is unable to make this commitment due to the challenges in enforcing accountability. Aspen Heights explored the Austin-Bergstrom International Airport model with operator DelawareNorth. This would require Aspen Heights to own all retail operations and license with local retailers for brand names and operational guidance. This model is not compatible with the competitive market in downtown Austin.*

*3) Did staff negotiate for more affordable housing on this City-owned site?*

Yes, City staff sought affordable housing from the developer in the range of 25-45% in accordance with the Exclusive Negotiation Agreement (ENA) between the City and Aspen Heights. Please see Article III, Section 3.01(b)(i) of the [City-Aspen Heights ENA](#), which is posted on the [1215 Red River project website](#).

*4) Do staff believe we could achieve more affordable housing and more community benefits, including permanently affordable childcare space, if we let the extension expire and pursue a different method of redeveloping the City-owned Health South tract?*

If Council seeks greater community benefits than what Aspen Heights' Best and Final Offer provides, City staff does believe greater community benefits can be achieved by restarting the project and requiring the specific benefits Council seeks for this property.

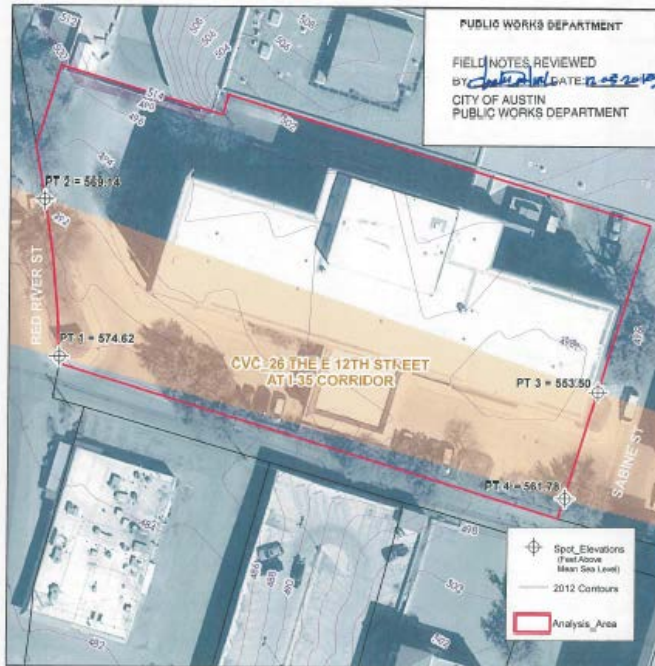
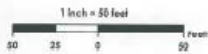
The developer provided the following response: Aspen Heights was the winning bidder in an open, competitive RFP bid in a more-stable economic environment and has upheld their commitment as well as implemented additional community benefits throughout the past 2 years of tumultuous economic conditions. Should the City let the agreement expire and pursue a new bid in drastically changed economic times compared to 2019, it is unlikely that the yield to the City would be mirrored in a bid in today's economic climate. Additionally, should the City pursue an internal method of development, many factors also need to be considered. This project contains a variety of requirements, resulting in a mixed use project that city entities and private affordable-housing developers are not necessarily accustomed to providing (high rise mixed use products to maximize the yield to the City or in delivering products of this magnitude). It is unknown if a different entity could provide the currently-offered amount of on-site affordable housing without any subsidies or City money. Furthermore, it is important to note that with Aspen Heights' control over the adjacent FFA property, Aspen Heights is at an advantage and other developers or entities could not achieve the proposed density without the adjacent property. Finally, regarding the permanent Affordable Childcare space, Aspen Heights maintains the commitment in the BAFO and now proposes to provide the City of Austin with a Right of First Refusal on the childcare space at the end of 36-months of good-faith effort by Aspen Heights to secure an appropriate operator. Upon the City accepting the ROFR, the Affordable Childcare space would be permanently controlled by the City of Austin.

*5) How much of the City-owned Health South tract falls outside of the Capitol View Corridor?*

In the exhibit, provided as an addendum to RFP5500-SMW3002, the shaded area reflects the impact of Capitol View Corridor (CVC) 26, the East 12<sup>th</sup> Street at I-35 Corridor, on the former Health South tracts at 1215 Red River Street and its garage at 606 East 12<sup>th</sup> Street.



The map is comprised of Geographic Information Systems (GIS) features maintained by the City of Austin, Travis County, State of Texas and other regulatory resources. This map provides geographic context of features coincident to or in proximity to the owner's site that are considered by the Land Use Reviewer. This map is not intended to provide an opinion to an individual or entity. This information is made available as a public service to the Owner and is intended to be used with independent professional judgment as to its applicability to the referenced project. The Owner and a Texas Licensed Professional Architect, Surveyor, Engineer, or other individual acting as a faithful agent for the owner shall take responsible charge of interpretations, computations, and results of using this information. The City expressly disclaims liability for errors, omissions, promises, or guarantees about the accuracy, completeness, or adequacy of the contents of this map in comparison to Texas Government Code, Title 11, State Symbols and Honors, Preservation, Subtitle B, Preservation, Chapter 3151, Preservation of View Of State Capitol. No warranty of any kind, implied, expressed, or statutory, including but not limited to the warranties of non-infringement of third party rights, title, merchantability, or fitness for a particular purpose, is given with respect to the contents of these data and references.



6) Does the Aspen Heights proposal include a provision that allows for profit-sharing, in a similar manner to the City's agreements for Mueller, 2<sup>nd</sup> Street District, and Seaholm?

Staff defers to Aspen Heights to answer this question. Aspen Heights provided the following response: Aspen Heights has presented a project that fully meets the requirements of the RFP and the guiding principles behind our bid. A bid that includes profit sharing would be a modification to the entire bid. If this is important to the City, Aspen Heights is willing to discuss this with City Staff but this would result in a fundamental modification to the overall bid and guaranteed revenue to the City.





### Council Question and Answer

**Related To**

Item #189

**Meeting Date**

July 28, 2022

### Additional Answer Information

**Item #189:** Authorize negotiation and execution of an agreement with the Austin Area Urban League to operate the Southbridge Bridge Shelter program for a thirteen and a half month term beginning August 15, 2022, in an amount not to exceed \$4,218,750.

#### COUNCIL MEMBER KELLY'S OFFICE

##### 1) *What experience does Austin Area Urban League have with running a shelter?*

Austin Area Urban League is currently engaged in homeless street outreach thorough a contract with ECHO. Additionally, they have staff, on hand, who have the experience of running a 24-hour facility. For the past two winters, AAUL have operated multiple warming shelters throughout Austin Travis County.



### Council Question and Answer

**Related To**

Item #190

**Meeting Date**

July 28, 2022

### Additional Answer Information

**Item #190:** Authorize negotiation and execution of an agreement with Urban Alchemy to operate the Austin Resource Center for the Homeless (ARCH) shelter for a thirteen and a half month term, beginning August 15, 2022, in an amount not to exceed \$4,143,350.

#### COUNCIL MEMBER TOVO'S OFFICE

- 1) Please provide a list of all organizations that were invited to attend the informational meeting about this contract.
- 2) Please provide a list of all attendees of the aforementioned meeting.
- 3) Were other organizations who were not invited to attend the meeting provided information about how to apply for this contract? If so, when was that information distributed?

Due to the high sensitivity of the situation, APH Director called each of the identified agencies directly to discuss the situation, gauge interest, and inform them of the meeting. The invitees leaned heavily on APHs' recent applicants to Homeless Services RPF(s). Those who submitted applications and presented capacity were invited. We also considered; agencies currently serving the populations served within the respective contracts in need. During a stakeholder meeting on July 18, 2022, the following organizations were present: Urban Alchemy, Austin Area Urban League, ECHO, Caritas of Austin, Foundation Communities, Integral Care, Sunrise Community Church, The Other Ones Foundation, and Family Eldercare. The Director was unable to contact the appropriate representative for Salvation Army, so they were not in attendance.

On July 19, APH contacted the Salvation Army and provided the APH urgent need/ask and the information on how to submit a letter of interest via email.



### Council Question and Answer

Related To

Item #190

Meeting Date

July 28, 2022

### Additional Answer Information

**Item #190:** Authorize negotiation and execution of an agreement with Urban Alchemy to operate the Austin Resource Center for the Homeless (ARCH) shelter for a thirteen and a half month term, beginning August 15, 2022, in an amount not to exceed \$4,143,350.

#### COUNCIL MEMBER KELLY'S OFFICE

##### 1) *What experience does Urban Alchemy have with running a shelter?*

Urban Alchemy has 4 years' experience in serving the most vulnerable populations and underserved areas in California. These included the Oakland, Sausalito, Hunters Point, Tenderloin and Mid-Market communities in the San Francisco area and Skid Row, South Central, Central Ave. Corridor, Downtown, Venice, and Hollywood communities in Los Angeles. Their work includes extensive engagement with individuals experiencing homelessness, chronic homelessness, mental health challenges, and substance abuse issues.

Over the course of the last 4 years, Urban Alchemy has operated various types of interim housing and shelter. Their current programs include:

- 3 tiny home villages
- 1 safe sleep village (aka, sanctioned encampment)
- 1 hotel-based shelter
- 1 safe parking program

In addition, during the height of the pandemic Urban Alchemy operated 3 other safe sleep villages, 1 congregate shelter and 3 shelter-in place hotels.