



**City Council Questions and Answers for
Thursday, February 28, 2013**

These questions and answers are related to the
Austin City Council meeting that will convene at 10:00 AM on
Thursday, February 28, 2013 at Austin City Hall
301 W. Second Street, Austin, TX



**Mayor Lee Leffingwell
Mayor Pro Tem Sheryl Cole
Council Member Chris Riley, Place 1
Council Member Mike Martinez, Place 2
Council Member Kathie Tovo, Place 3
Council Member Laura Morrison, Place 4
Council Member William Spelman, Place 5**

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 the final report is distributed at noon to City Council the Wednesday before the council meeting.

QUESTIONS FROM COUNCIL

1. Agenda Item # 9
 - a. QUESTION: How much money would be changing hands if any? Assuming we will end up assisting the outlying areas more often than they assist us, is there a level over which they will reimburse us? I see that these agreements are being standardized- do we know what will be in the standard agreement about cost reimbursement? COUNCIL MEMBER SPELMAN
 - b. ANSWER: See attachment.
2. Agenda Item # 12
 - a. QUESTION: Will the agreement be made available as backup to this agenda? Was this expense anticipated in the FY13 budget? Is the total amount available from the grant? Will any projects be deferred or programs impacted by using \$50,000 from the Housing Trust Fund for this purpose? Can the outreach be completed for \$250,000? COUNCIL MEMBER TOVO
 - b. ANSWER: The Interlocal Agreement will not be included as Council back-up to the agenda item. The item is authorizing the negotiation and execution of the agreement; and NHCD is still negotiating the agreement. The expense was anticipated in the FY 2013 budget. Working with the Colony Park Neighborhood Association over the past few months has produced significant program enhancements to the community engagement plan, culminating in an inter-local agreement among the City of Austin, Austin Community College, and the University of Texas at Austin. NHCD is utilizing all of the resources available in the grant for these activities and recommend using the \$50K from the Housing Trust Fund for this very comprehensive community engagement strategy. It is an eligible community development expense for a crucial planning project in the Colony Park area. Proposed funding is not currently committed to other programs or activities.
3. Agenda Item # 24
 - a. QUESTION: What performance requirements will be included in the contract? COUNCIL MEMBER MORRISON
 - b. ANSWER: This contract is for access to the Zirmed system, to allow ATCEMS to recover insurance information from databases provided by Zirmed and that are not available through the department's current

clearinghouse vendor. It also allows the department to login to the Zirmed system to receive and run reports based on the claims/batches submitted through their clearinghouse process. This is not a specific performance contract, but rather a contract to gain access and interact with the vendor. The scope requires access at a minimum from 6 a.m. to 6 p.m. Monday thru Friday. Beyond this, the vendor's bid offers 24/7 system availability. The vendor provides live customer support from 7 a.m. to 8 p.m. Monday thru Friday. Customer Service Representatives, backed up by Team Leads, address customer processing questions. Online support modules are also available.

4. Agenda Item # 41


- a. QUESTION: How many officers will be involved in manning the barricades during this extended street closure? Does the street closure ordinance provide options for event promoters to hire other law enforcement or security personnel? COUNCIL MEMBER TOVO
- b. ANSWER: There will be 35 officers per shift working barricades. This will require two shifts of officers, bringing the total to 70 officers per day. The ordinance does provide for the promoter to hire other law enforcement officers to work right of way street closures, however, this must be approved by the Chief of Police. Other than right of way closures which require a law enforcement officer, a promoter may hire "security personnel" to be deployed within the closure.
- c. FOLLOW-UP QUESTION: Thank you for verifying that the street closure ordinance allows event promoters to hire other law enforcement officers to work right of way street closures. Is "working right of way street closures" the same as working barricades? How often has the Chief of Police approved requests for a promoter to hire a non-APD law enforcement officer to work a street closure? Given the length of time of the proposed SxSw street closure, was that option considered for SxSw, and if not, why not? COUNCIL MEMBER TOVO
- d. FOLLOW-UP ANSWER: The street closure must be done by a law enforcement officer since this involves directing traffic or manning a barricade. As a result the officers actively doing the closure or working traffic are not available to patrol the event within the closure. Typically, the promoter will hire extra officers above what is required for the actual closure to roam on foot patrol maintaining security for the event. However, the promoter can also hire a private entity to provide security within the closure. There is no option for hiring security to work the closure since this function requires traffic direction. The city ordinance as it is written is in agreement with state law which states only law enforcement officers may direct traffic. The chief does have the authority to allow another law enforcement agency to work a closure that is permitted by the city, however, we have not been approached to allow this. This would also require SxSw to pay for the outside agency out of their own funding source which would not require a fee


waiver.

5. Agenda Item # 63

- a. QUESTION: What motions were made and what was the vote on this item at the Downtown Commission? COUNCIL MEMBER TOVO
- b. REVISED ANSWER: On Wednesday, February 20 the Downtown Commission heard a presentation on a requested zoning change for 800 W. 6th St. from DMU-CO-CURE to DMU-CURE and removal of a 2,000 trip per day limitation, and a zoning change for 702 and 704 West Avenue from LO/GO to DMU (90' height limit). A motion to recommend removal of the 2,000 trip per day limit for 800 W. 6th St. was approved on a vote of 9-0-1. A motion to recommend DMU-CURE for 800 W. 6th St., and DMU (60' height limit) for 702 and 704 West Ave. failed on a vote of 2-8. The substitute motion to recommend DMU-CURE for 800 W. 6th St., and DMU (90' height limit) for 702 and 704 West Ave., with a condition of screening on the west side of the garage, failed on a vote of 4-6. While the requested zoning received more votes, neither motion received enough votes to pass, so the Commission made no recommendation on the zoning requests.

END OF REPORT - ATTACHMENTS TO FOLLOW

 *The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.*

 *For assistance please call 974-2210 OR 974-2445 TDD.*



Council Question and Answer

Related To	Agenda Item #9	Meeting Date	February 28, 2013
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Additional Answer Information

Agencies will bill each other for extended operations (beyond 4 hours) on Automatic Aid events. The billing documentation must follow the same guidelines used for FEMA reimbursements. AFD has created a "reimbursement invoice" spreadsheet that is available to any agency. Documentation of Automatic Aid reimbursements can be done on the AFD spreadsheet or in a manner that is clearly consistent with the FEMA guidelines.

Billable items include:

- Labor cost.
 - For time actually assigned to the incident.
 - Includes overtime calculations for FLSA.
 - Includes fringe benefit costs.
- Apparatus / Equipment usage.
 - FEMA standardized usage cost rates.
- Materials used.
 - With supporting documentation of need for that specific incident.

Therefore, the only money that might change hands would be related to operations that exceed 4 hours. There is no "frequency level" that would trigger one agency billing another.