

City Council Questions and Answers

City Council Questions and Answers for
Thursday, August 29, 2013

These questions and answers are related to the
Austin City Council meeting that will convene at 10:00 AM on
Thursday, August 29, 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 # 15

- a. QUESTION: 1) Please indicate the location of the proposed park patrol structure on a map. 2) The funding for design appears to be coming out of multiple department budgets, what is the proposed total cost and source of funding for the construction of the facility? MAYOR PRO TEM COLE
- b. ANSWER: This RCA is to increase authorization of a professional services agreement for Cotera + Reed Architects under a Contract Management Department managed Rotation List. Funding for the increased contract authority will be provided through Proposition 16: Public Safety of the 2012 G.O. Bond Program with sponsorship by APD. A total project budget of \$2,000,000 is allotted for design and construction of the Nash Hernandez Building. This design will seek to renovate the existing Parks and Recreation building for the purposes of the joint-use Park Patrol Facility to be shared by the Park Ranger and Park Police. See attached area map.

2. Agenda Item # 16

- a. QUESTION: Please provide a timeline for completion of this item.
COUNCIL MEMBER SPELMAN
- b. ANSWER: The attached work plan outlines tasks for which both URS and AURP, mentioned below, will be providing services. The work plan carries through August 2014. Each consultant will provide varying degrees of services throughout the work plan which will greatly involve the public throughout the entire process. URS will be providing the majority of the services and providing constant support through August 2014. However, there are several critical dates or milestones that might allow Council to make decisions on how to proceed with possible funding decisions. A priority Sub-Corridor within the central core will be delivered to Council by January 2014. This information will provide definition of a priority service corridor, one for example that might be defined as serving downtown, the capitol complex, UT and destinations on one or both sides of those primary activity hubs. Preliminary alignment variations and technology options will be identified by the end of January as well. A final recommendation on mode and preferred alignments will be brought to Council in May of 2014, allowing for the selection of a locally preferred alternative for which to seek funding. AURP will provide mostly quality assurance of the City and URS's work through January 2014. From January through August 2014, AURP will be heavily

involved in defining and evaluating alternatives with URS to recommend a locally preferred alternative.

3. Agenda Item # 19

- a. QUESTION: Please provide a timeline for completion of this item.
COUNCIL MEMBER SPELMAN
- b. ANSWER: The attached work plan outlines tasks for which both URS and AURP, mentioned below, will be providing services. The work plan carries through August 2014. Each consultant will provide varying degrees of services throughout the work plan which will greatly involve the public throughout the entire process. URS will be providing the majority of the services and providing constant support through August 2014. However, there are several critical dates or milestones that might allow Council to make decisions on how to proceed with possible funding decisions. A priority Sub-Corridor within the central core will be delivered to Council by January 2014. This information will provide definition of a priority service corridor, one for example that might be defined as serving downtown, the capitol complex, UT and destinations on one or both sides of those primary activity hubs. Preliminary alignment variations and technology options will be identified by the end of January as well. A final recommendation on mode and preferred alignments will be brought to Council in May of 2014, allowing for the selection of a locally preferred alternative for which to seek funding. AURP will provide mostly quality assurance of the City and URS's work through January 2014. From January through August 2014, AURP will be heavily involved in defining and evaluating alternatives with URS to recommend a locally preferred alternative.

4. Agenda Item # 22

- a. QUESTION: 1) Metropolitan Park have a master plan? 2) Why was this contract re-bid? MAYOR PRO TEM COLE
- b. ANSWER: 1) There is not a current Master Plan for Mary Moore Searight. 2) Though the solicitation included Section 00830 Wage Rates and Payroll Reporting, it did not include the specific Wage Rates for this project. In discussion with the Law Department, the Contract Management Department determined that it was necessary to rebid the solicitation to ensure a level playing field so that all contractors were aware that specific wage rates were required for this project. As such, the solicitation was rebid in order to incorporate the Highway Heavy Wage Rates.

5. Agenda Item # 24

- a. QUESTION: The Wayfinding project was adopted December 2011 and the Master Plan finalized June 14, 2013. 1) Please identify if a recent Wayfinding project came before Council and the amount of funding authorized. 2) How is

the Wayfinding project being funded? Where is the fund held? What is the current balance in the fund? 3) Please describe the contemplated additional interactive elements being proposed that are growing the original scope of the project from \$37,000 to \$65,000? 4) The CIP Expense Detail indicates Planning and Development Review is drawing from their Economic Development Fund. What is the purpose of a Planning and Development Review Department economic development fund? How many economic development funds does the City have across all departments? To provide a comprehensive accounting, what are the balances in each department and what funds are being proposed for the coming year's budget? COUNCIL MEMBER MORRISON

b. ANSWER: See attachment

6. Agenda Item # 27

a. QUESTION: 1) What is the process we will need to go through to get HUD approval for expanded service area? 2) How will staff recommend other areas? 3) How does staff plan to do outreach? COUNCIL MEMBER MORRISON

b. ANSWER: See attachment

7. Agenda Item # 36

a. QUESTION: The realignment of Red River at 15th Street will change traffic flow patterns in the area. 1) Please provide description of impacts to traffic flow and measures to be taken to mitigate. 2) As identified in the Phase 2: Realignment back up exhibit, will the repurposed roadway section of Red River between 12th -15th remain as public roadway and renamed or be abandoned? 3) The southern end of the realignment appears to go through the existing Brackenridge hospital. Please identify impacts to the existing hospital and Waterloo Park. COUNCIL MEMBER MORRISON

b. ANSWER: See Attachment

8. Agenda Item # 79


a. QUESTION: 1) As we discussed in work session, how many projects would fall into the description included in this ordinance? 2) What kind of projects are these? 3) Where are these projects located vis a vis the drinking water projection zone? 4) To what ordinances would these projects not be subject if this proposed ordinance passes? COUNCIL MEMBER TOVO


b. ANSWER: 1) PENDING 2) Per the draft ordinance, these are site plan projects filed within the full-purpose jurisdiction of the City of Austin on or after January 1, 2006 that did not request vesting (grandfathering) under the Texas Local Government Code, Chapter 245. It would only apply to same project that expired and not to a different project. It would only apply to a

project that expired due to project duration, and not to a project that expired due to site plan expiration prior to project duration date, nor to a project where the property owner withdrew the project prior to the duration expiration date. In addition, it would not apply to a project where the property owner has filed and new site plan application and started construction on the new project. 3) These projects may be located in either the drinking water projection zone or the desired development zone. 4) Under the proposed ordinance, all of these projects were filed under the current Code on the date they submitted their site plan applications. Therefore, the regulations in effect at the time of submittal, excluding our Technical Codes (e.g. building and fire codes, etc.) would apply to the project and new regulations after the date of submittal would not apply. Probably, the most significant ordinance that would not apply to older projects would be the Heritage Tree ordinance that was passed by City Council on February 4, 2010.

- c. QUESTION: 1) Please address how/whether it would be legally possible to allow an expired site plan that is dependent on a Council approved SOS variance, subject to a supermajority Council vote, to be resurrected under this draft ordinance. 2) Because the granting of BoA variances is a quasi-judicial process allowed for by state statute, explain how a BoA variance upon which a site plan is based, could be administratively resurrected. Please outline various boards and bodies that have the authority to approve variance requests, types of requests and conditions for approval and whether Council can waive that process as this proposed ordinance suggests. COUNCIL MEMBER MORRISON
- d. ANSWER: See attachment
- e. QUESTION: Please indicate which variances the projects that would fall into this category received before expiration of their site plans. COUNCIL MEMBER TOVO
- f. ANSWER: Pending

END OF REPORT - ATTACHMENTS TO FOLLOW

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

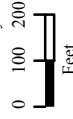


Legend
City of Austin Parks

Existing Nash Building



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the Parks and Recreation Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



26 August 2013 LE

Site Map:Nash Hernandez Building

Central Corridor High-Capacity Transit Study Work Plan

[illegible]

Central Corridor High-Capacity Transit Study Work Plan

															2013					2014				
		1	2	3	4	5	6	7	8	9	10	11	12	13	14									
		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug									
Phase 1 Select Priority Sub-Corridor	Step 1: Kick-Off/Process	Task 1																						
		Task 2																						
		Task 3																						
	Step 2: Define Sub-Corridors	Task 4																						
		Task 5																						
		Task 6																						
	Step 3: Select Priority Sub-Corridor	Task 7																						
		Task 8																						
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Phase 2 Select Locally Preferred Alternative (LPA)	Step 4: Identify Preliminary Alternatives	Task 9																						
		Task 10																						
		Task 11																						
	Step 5: Define Final Alternatives	Task 12																						
		Task 13																						
	Step 7: Select LPA	Task 14																						
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Council Question and Answer

Related To	Agenda Item #24	Meeting Date	August 29, 2013
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Additional Answer Information

The Wayfinding project was adopted December 2011 and the Master Plan finalized June 14, 2013.

1) Please identify if a recent Wayfinding project came before Council and the amount of funding authorized.

Council authorized staff to negotiate and execute the original contract on September 22, 2011, not to exceed \$180,000. Staff and the Consultant gave a briefing on the final design to Council in December 2012.

2) How is the Wayfinding project being funded? Where is the fund held? What is the current balance in the fund?

The Wayfinding project is funded by a portion of the increased revenue from the extended parking hours through Austin Transportation Department and the project is managed through PDR. There is a balance of approximately \$630,000. This money will be utilized to implement Phase 1 of Construction.

3) Please describe the contemplated additional interactive elements being proposed that are growing the original scope of the project from \$37,000 to \$65,000?

The additional interactive elements will include additional lighting fixtures that would be activated by motion. These fixtures would be aimed downward to highlight pedestrians and would correspond to graphics on the sidewalk. Each graphic would produce a different effect, such as activating a color change or changes in the lighting pattern.

In addition, the expanded scope also includes consulting with the Wayfinding design team. Since the location of this project has been identified as a major gateway into downtown, the design team thought it was important to coordinate efforts and to have the artists weigh in on the design of nearby gateways and signage elements. At this time, no artwork has been installed. The “stitches” visible are not the artwork but are part of the architectural design (see attached).

The additional funding from PDR is the 2% AIPP allocation for the design phase of the Wayfinding project.

The CIP Expense Detail indicates Planning and Development Review is drawing from their Economic Development Fund.

4) What is the purpose of a Planning and Development Review Department economic development fund? How many economic development funds does the City have across all departments? To provide a comprehensive accounting, what are the balances in each department and what funds are being proposed for the coming year’s budget?

There is an error on the fiscal note related to item #24. Under PDR it listed Economic Development Fund and

should have listed Planning Development Review. The corrected fiscal note has been submitted for posting.

Please see the attached photograph.





Council Question and Answer

Related To	Agenda Item # 27	Meeting Date	August 29, 2013
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Additional Answer Information

1) What is the process we will need to go through to get HUD approval for expanded service area?

The request for HUD approval to expand the FBLP's service area will be made through an administrative process. The City must submit certain forms to HUD's Washington Headquarters and the San Antonio Field Office. These offices will evaluate the request to ensure that the City of Austin will continue to serve low and moderate income persons, which is HUD's national objective. They will also want to be assured that the City will not change the financial underwriting criteria as previously reviewed and approved by HUD. HUD will then make the decision to approve or deny the expansion.

2) How will staff recommend other areas?

The proposed expansion opens the FBLP to all low and moderate income areas of the City. Staff will have the ability to seek projects in areas of the City designated for redevelopment by Imagine Austin and to transit-oriented districts. For example, Section 108 funded financing tools will now be available for projects that support the East Riverside Corridor Master Plan and the Airport Boulevard initiative. All loans will still have to be reviewed by HUD to assure compliance with low and moderate income regulations.

3) How does staff plan to do outreach?

FBLP is targeted specifically to small business owners who are ready to expand their business. Consequently, outreach efforts are focused on reaching this specific audience using three primary methods:

1. Meeting directly with small businesses that are potential borrowers;
2. Networking with lenders, local Chambers of Commerce and other business groups;
3. Presenting to EGRSO customers.

These methods can easily be applied on a City-wide basis. Their effectiveness is evidenced by the FBLP's success to-date in finding viable small business expansion projects. Thus far, FBLP has made loans totaling \$789,000 that will create 36 new jobs. We also have a pipeline of potential loans totaling \$3.4 million that would create a minimum of 97 new jobs.



Council Question and Answer

Related To	Agenda Item # 36	Meeting Date	August 29, 2013
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Additional Answer Information

The realignment of Red River at 15th Street will change traffic flow patterns in the area.

1) Please provide description of impacts to traffic flow and measures to be taken to mitigate.

Traffic flow will change over time in the medical district as services that are now provided at Brackenridge are transitioned to the new hospital and as medical offices and new activities migrate to the district. Traffic flow will also change as the street network changes from its current configuration to a more traditional one and alternative modes are elevated in priority over the private automobile. The issue that has raised the most concern has been the “dog leg” configuration that will exist until the southern portion of Red River (Between 12th and 15th Streets) realigns to its historic location. Working with UT, City Staff has evaluated simulation modeling runs of the transportation network and conducted a traffic impact analysis. We have agreed to modifications of the grid to assure that traffic can be maintained with the interim dog leg configuration. An additional left turn lane will be added on 15th Street, making an 8-lane cross-section. An additional signal will be placed, resulting in a two-signal intersection that can be coordinated to offer the greatest efficiency through the off-set Red River intersection. We have also discussed the ability for the institutional employers in the existing and future medical district to manage their employee and customer demand for travel and also manage the travel patterns entering and leaving the district. These combined traffic responses should provide a reasonable level of mobility within the district while the dog leg exists. UT has also coordinated with emergency services to assure clear and direct access for emergency vehicles during the transition as well. The new roadway networks are being designed to emphasize pedestrian and transit activities. Transit will play a key role in the future of the district. The return to the historic grid is being planned so that future high capacity transit using the IH 35 Corridor might leave the interstate corridor at MLK and travel directly through the center of the district down a future Red River transit corridor. Likewise, the Trinity and San Jacinto corridors in this vicinity have been and continue to be the focus of fixed guide-way planning through the Central Corridor Study process (i.e., Urban Rail). The Health District has also publicly indicated that they are committed to a full realignment of the historic street grid south of 15th Street.

2) As identified in the Phase 2: Realignment back up exhibit, will the repurposed roadway section of Red River between 12th -15th remain as public roadway and renamed or be abandoned?

At this point, the existing alignment of Red River that follows the Waller Creek meander south of 15th Street remains a City Street. In the briefing materials it is identified as a street for repurposing only to identify the fact that the future of that piece of roadway will be determined in future planning efforts. The Health District has reported that it will begin immediately the master planning of its campus (Brackenridge site) now that the UT campus is moving towards construction. The future of this portion of street right-of-way would most logically be discussed as part of that effort, including the opportunity to rename it if desirable. Assuming that the realignment of Red River to its historic grid location is achieved, it is conceivable that a narrower street in the location of the current meandering Red River alignment along the creek would be warranted. This route would remain an important pathway for bicycle and pedestrian connections to the trail along upper Waller Creek. UT has indicated a desire to develop expanded bicycle and pedestrian facilities along this portion of Waller Creek and/or along the Trinity Corridor to connect with improvements along Waller Creek that they are planning within the main campus.

3) The southern end of the realignment appears to go through the existing Brackenridge hospital. Please identify impacts to the existing hospital and Waterloo Park.

The realignment of Red River Street south of 15th Street would presumably follow the same path as the existing drive that separates the Brackenridge hospital from the elevated parking structure. It is staff's understanding that the parking structure will remain as part of the medical district's new overall plan. The final alignment and impact to existing structures will be determined during the master planning of the medical district's current campus which is a separate effort from the UT planning process (e.g., Phase 2). It is staff's understanding that many of the existing buildings on the Health District's campus would not be reusable in their current configuration, so actual impacts from the final realignment are not anticipated to be substantial.

Impacts to Waterloo Park are not anticipated. Potential repurposing of the section of Red River that now runs along the park would be determined during the master planning effort for the Health District's Campus and could provide different access opportunities for the park. These will be brought to Council as staff engages with the Health District on their planning effort.



Council Question and Answer

Related To	Agenda Item #79	Meeting Date	August 29, 2013
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Additional Answer Information

1) Please address how/whether it would be legally possible to allow an expired site plan that is dependent on a Council approved SOS variance, subject to a supermajority Council vote, to be resurrected under this draft ordinance.

Site-specific SOS amendments or limited adjustments do not expire because:

- They are not “variances,” so the general rule that a variance expires with expiration of an associated site plan is not applicable.
- The ordinances that Council has approved for site-specific SOS amendments and limited adjustments do not include expiration dates.

In reviewing site plan applications submitted under site-specific SOS amendments or limited adjustments, staff looks to whether or not the site plan is for the same project that received the SOS amendment or limited adjustment. If a site plan that previously received an SOS amendment or limited adjustment was reinstated, it would be entitled to relief under the site-specific amendment or limited adjustment if the development is the same. This would also be true if the applicant simply resubmitted a new site plan application for that same development.

For these reasons, the proposed ordinance would not impact whether or not a project would be entitled to relief under a previously approved site-specific amendment or limited adjustment. Very few SOS amendments or limited adjustments have been approved. Of those that have been approved, most are for city projects that are complete or close to completion.

2) Because the granting of BoA variances is a quasi-judicial process allowed for by state statute, explain how a BoA variance upon which a site plan is based, could be administratively resurrected. Please outline various boards and bodies that have the authority to approve variance requests, types of requests and conditions for approval and whether Council can waive that process as this proposed ordinance suggests.

The BOA has authority under state law to approve variances granting relief from zoning regulations. Only the district court may overturn or modify a BOA’s decision on a variance request. The City has authorized other types of variances as well, most notably:

- environmental and subdivision variances, which are approved by the Land Use Commission; and
- waterfront overlay variances, which are approved by the Waterfront Planning Advisory Board.

State law does not prohibit a city council from adopting procedural requirements governing the duration of a variance approved in connection with a site plan. Likewise, once such requirements are adopted, state law does not prohibit a city from amending or waiving them.

The Land Development Code provides that, in general, a variance approved in connection with a site plan expires when the site plan expires. The proposed ordinance would waive that requirement to allow reinstated site plans to take advantage of a previously approved variance.