



# City of Austin

301 W. Second Street  
Austin, TX

## Agenda

### Questions and Answers Report

*Mayor Steve Adler*

*Mayor Pro Tem Kathie Tovo, District 9*

*Council Member Ora Houston, District 1*

*Council Member Delia Garz, District 2*

*Council Member Sabino "Pio" Renteria, District 3*

*Council Member Gregorio Casar, District 4*

*Council Member Ann Kitchen, District 5*

*Council Member Jimmy Flannigan, District 6*

*Council Member Leslie Pool, District 7*

*Council Member Ellen Troxclair, District 8*

*Council Member Alison Alter, District 10*

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Thursday, April 12, 2018

Austin City Hall

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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

- 6. Agenda Item #6:** Authorize award and execution of a construction contract with ASD Consultants, Inc. (MBE), for Eilers Neighborhood Park-General Park Improvements-Rebid in the amount of \$337,777.00 plus a \$33,777.70 contingency, for a total contract amount not to exceed \$371,554.70.

#### QUESTION:

Please provide a summary of the desired park features and the final park plan development feedback identified through the public outreach.

COUNCIL MEMBER ALTER'S OFFICE

#### ANSWER:

The proposed improvements include new park signage, accessible drinking fountain, benches, picnic areas with tables, trash receptacles, ADA compliant walkways and ramps and an updated play structure integrated into the landscape that provides nature based play opportunities. In addition to integrated amenities such as retaining walls, seat walls and landscape beds, the design shall also plan for and enhance the existing circulation routes from the adjacent community and activities and an inviting Arts in Public Places art project.

Please see the attachment for the plan development feedback.

- 12. Agenda Item #12:** Approve an ordinance authorizing acceptance of \$25,000 in grant funds from

the National League of Cities and amending the Fiscal Year 2017-2018 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 201709013-001) to appropriate \$25,000 for the Cities Supporting a Strong Prenatal to Age 3 Agenda.

QUESTION: Is the School Readiness Action Plan (SRAP) only targeted to Austin children who reside in Travis County and/or attend Austin Independent School District schools?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

The School Readiness Action Plan is a comprehensive early care and education plan that focuses on birth to 5 years old. It includes strategies for pre-K planning that address ISDs within Travis County (i.e. AISD, Pflugerville, Manor, Del Valle, etc.) There will be an opportunity to include other ISDs that fall within the City of Austin in the next iteration of SRAP (2019-2024). Other planning strategies focused on high quality child care and home visiting services do include City of Austin and Travis County service areas. Any city funded early childhood services provided, which align with the SRAP, would be accessible to City of Austin and/or Travis County residents. Additionally, the main data source for the SRAP, E3 Alliance, includes the entire Central Texas region for school readiness data..

**13-23. Agenda Item #13-#23: Purchasing Items**

QUESTION: Has the City of Austin given consideration to firms, such as Historic Underutilized Businesses at the state level, who have expressed an interest in expanding their work in areas that are not included in their current MBE/WBE certification profile? Although the City of Austin sets the MBE/WBE goals, why are the general or primary contractors not meeting these goals?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

The City currently reaches out to firms certified by the State of Texas as Historically Underutilized Businesses to explore the opportunities for these firms to be certified as either Minority-owned Business Enterprise or Women-Owned Business Enterprises including inviting them to SMBR outreach events. SMBR has hosted outreach events specifically targeting HUB firms to learn about certification. The MBE/WBE Procurement Program Ordinance has certification requirements that differ from the HUB certification requirements. Some HUBs do not meet the City's criteria. If a HUB is interested in being certified with the City, staff is able to assist them in the certification application process. SMBR staff will be doing outreach specifically to HUB firms to see if interested firms wish to be certified to participate on upcoming Corridor Mobility Program opportunities.

Currently, over 89% percent of prime contractors are meeting the established MBE/WBE goals at time of City Council award. During the course of a project, however, there are a variety of reasons why a prime firm may not be able to meet the MBE/WBE goals set on a contract. Three of the most common reasons are: **1) A scope(s) of work may not materialize** as anticipated - at times, scopes of work that were initially identified by the sponsor department may not materialize on a project, when this occurs, the prime firm will not be held responsible since the City is aware of this fact; **2) A scope of work may be decreased** through a contract change order or contract amendment - when this issue occurs, the prime firm is required to submit a Request for Change form detailing the reasons for the any decrease in the contract amount initially awarded to a certified MBE or WBE firm. This request is then reviewed by the Small & Minority Business Resources Department prior to approval; and **3) MBE/WBE firms losing their certification status** - certified firms may lose their certification status or lose their certification under a scope of work and therefore the prime firm cannot count that firm's participation towards the MBE or WBE goal.

- 18. Agenda Item #18:** Authorize negotiation and execution of a multi-term contract through the National Joint Powers Alliance cooperative purchasing program with Wright Express Financial D/B/A Wright Express, to provide fuel credit cards and credit card services, for up to 39 months for a total contract amount not to exceed \$2,221,000.

QUESTION:

1) Why do we need this? 2) When did we start using this kind of service? 3) Was there a problem we were trying to solve for? 4) How many vehicles use non-city fuel stations? 5) How many cards are we using?

COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER:

1) The contract will allow various City departments to purchase fuel at commercial retail fueling facilities in areas of Austin, surrounding counties, and other locations where the City does not currently have City-owned fueling facilities (i.e. out of town).

Fuel cards are issued to City staff for the following reasons:

- High compression motorcycle engines are recommended to use premium fuel. Fleet does not carry this fuel type in any City-owned fueling facility.
- All Public Health and Safety departments including Austin Police, Austin Fire and Emergency Medical Services) who provide services to citizens in areas where a City-owned fueling station is not nearby (e.g., EMS services Travis County, not just Austin).
- Emergency response and/or disaster relief and mutual aid.
- Departments who work outside City surroundings where a City-owned fueling station is not nearby.
- City business travel.

2) Fuel cards have always been a part of our overall fuel strategy. In 2004 we consolidated and centralized to a citywide contract for commercial fleet card program.

3) Yes. There was a need for City staff to purchase fuel when conducting City business in an area where there are no City-owned fueling facilities. Initially we used individual consumer fuel cards (e.g. Exxon, Texaco, etc.). These cards provided access to purchase fuel for business operations but did not provide the controls and accountability that we needed (e.g. exclusion of non-fuel purchases such as food). The commercial fleet card provided those controls and accountability.

4) There are currently 380 vehicles and pieces of equipment using non-City fuel stations.

5) There are a total of 446 fuel cards currently in use. 380 are assigned to vehicles and equipment. The remaining cards have been issued to a Department Single Point of Contact for travel when needed (e.g. mutual aid or other City business) as opposed to the 380 which are issued to the vehicles and equipment and usable at any time.

- 21. Agenda Item #21:** Authorize negotiation and execution of a multi-term contract with John L. Wortham & Son, L.P. D/B/A Wortham Insurance & Risk Management, to provide cyber liability broker services for cyber liability insurance coverage for Austin Energy, for up to five years for a total contract amount not to exceed \$2,425,000.

QUESTION: Who are the other cyber liability brokers that were considered for the awarding of the contract? Is there documentation that can be provided to evidence the evaluation of the

qualifications of the cyber liability brokers considered for the contract?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

The cyber liability brokers contract will be written as a Professional Services Agreement; however, the City of Austin and Austin Energy Risk Management considered Aon Risk Services Southwest Inc. and John Wortham & Son LP for the contract.

The City of Austin and Austin Energy Risk Management considered the background and experience of the organization specifically related to providing cyber liability technical and consulting services to large electric utilities. The City of Austin and Austin Energy Risk Management also considered the organization's ability to manage large electric utility programs effectively, availability to large insurance markets, and knowledge of marketplace as well as premiums and loss arrangements.

Some highlights of John Wortham & Son LP experience and qualifications that were considered by City of Austin and Austin Energy Risk Management include:

- Wortham's prior experience working with the City (i.e. Excess Liability and Property Insurance).
- Wortham's Power Gen Practice Team represents more than 30 utilities across the U.S.
- Wortham's Managing Director's tenure is over 20 years, and client retention is over 95%.
- In August of 2016, Wortham was selected by American Public Power Association (APPA)/Hometown Connections to construct a Cyber Liability Insurance and services program for their 2000 members.

- 40. Agenda Item #40:** C14-2018-0006 - Loyola Landing - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6651 Ed Bluestein Boulevard and 5601 Durango Pass (Walnut Creek Watershed) from community commercial (GR) district zoning, limited office (LO) district zoning, multifamily residence medium density (MF-3) district zoning and family residence (SF-3) district zoning to community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use (CS-MU) combining district zoning on Tract 2. Staff Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning on Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning on Tract 2.

QUESTION: Was an educational impact study completed?

COUNCIL MEMBER HOUSTON'S OFFICE

ANSWER:

Staff requested an educational impact memo from AISD on March 12, 2018. That memo has not been received yet. Staff has reached out to AISD with a reminder request and are waiting to hear back.



## Recommendation for Action

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**File #:** 18-1803, **Agenda Item #:** 6.

4/12/2018

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### **Agenda Item**

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Please provide a summary of the desired park features and the final park plan development feedback identified through the public outreach.

COUNCIL MEMBER ALTER'S OFFICE

### **ANSWER:**

The proposed improvements include new park signage, accessible drinking fountain, benches, picnic areas with tables, trash receptacles, ADA compliant walkways and ramps and an updated play structure integrated into the landscape that provides nature based play opportunities. In addition to integrated amenities such as retaining walls, seat walls and landscape beds, the design shall also plan for and enhance the existing circulation routes from the adjacent community and activities and an inviting Arts in Public Places art project.

Please see the attachment for the plan development feedback.

**Session Name:** New Session 4-21-2015 7-36 PM

**Date Created:** 4/21/2015 7:09:23 PM

**Active Participants:** 10 of 10

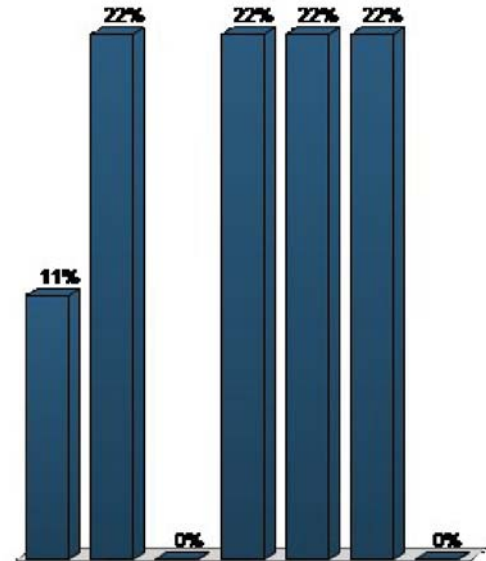
**Average Score:** 0.00%

**Questions:** 15

## Results by Question

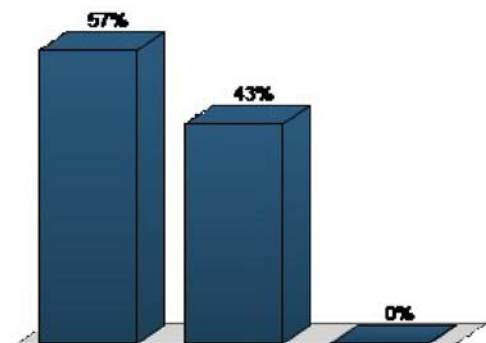
**1. Test question: My favorite color is:(please raise your hand if you don't see a green light on your keypad)**  
(Multiple Choice)

	Responses	
	Percent	Count
Red	11.11%	1
Orange	22.22%	2
Yellow	0%	0
Green	22.22%	2
Blue	22.22%	2
Purple	22.22%	2
Other	0%	0
<b>Totals</b>	<b>100%</b>	<b>9</b>



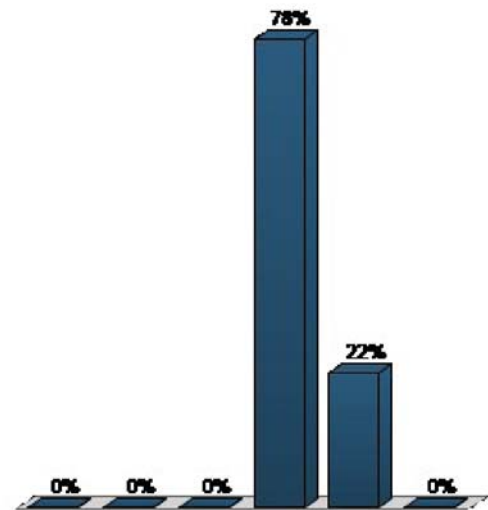
**2. You are: (Multiple Choice)**

	Responses	
	Percent	Count
Male	57.14%	4
Female	42.86%	3
Prefer not to answer	0%	0
<b>Totals</b>	<b>100%</b>	<b>7</b>



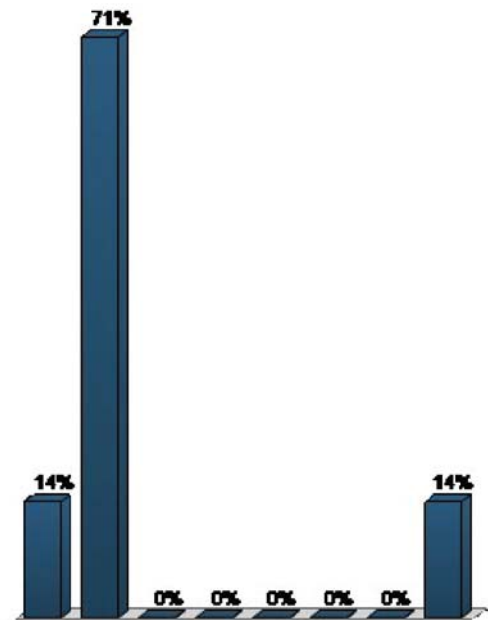
### 3. You are a: (Multiple Choice)

	Responses	
	Percent	Count
Child (0-12)	0%	0
Teenager (13-19)	0%	0
Young Adult (20-29)	0%	0
Adult (30-54)	77.78%	7
Senior (55+)	22.22%	2
Prefer not to answer	0%	0
<b>Totals</b>	<b>100%</b>	<b>9</b>



### 4. Number of children (0-12) living in your home: (Multiple Choice)

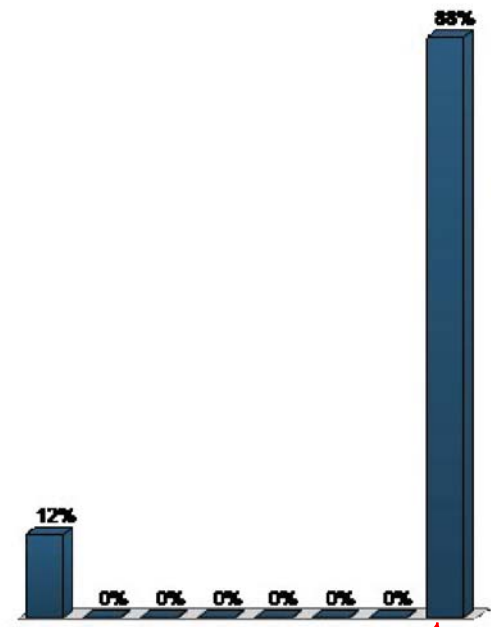
	Responses	
	Percent	Count
1	14.29%	1
2	71.43%	5
3	0%	0
4	0%	0
5	0%	0
6	0%	0
7+	0%	0
Prefer not to answer	14.29%	1
<b>Totals</b>	<b>100%</b>	<b>7</b>



PREFER NOT TO ANSWER  
INCLUDES  
THOSE WITH 0  
CHILDREN

### 5. Number of teenagers (13-19) living in your home: (Multiple Choice)

Responses		
	Percent	Count
1	12.5%	1
2	0%	0
3	0%	0
4	0%	0
5	0%	0
6	0%	0
7+	0%	0
Prefer not to answer	87.5%	7
<b>Totals</b>	<b>100%</b>	<b>8</b>

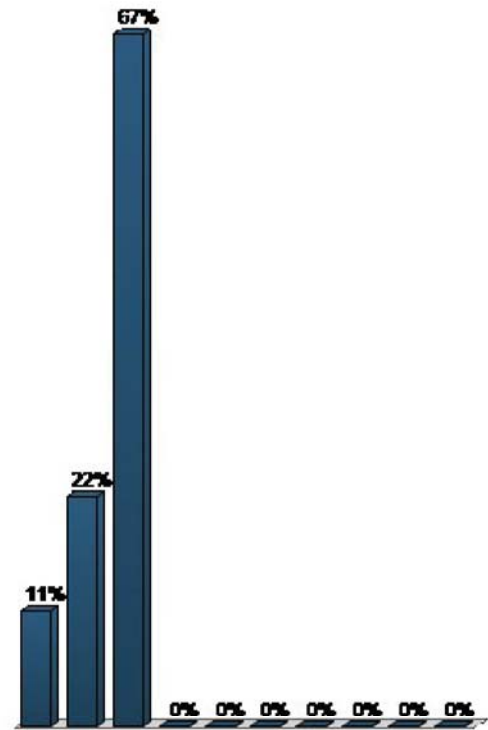


PREFER NOT TO  
ANSWER  
INCLUDES  
THOSE WITH 0  
TEENAGERS



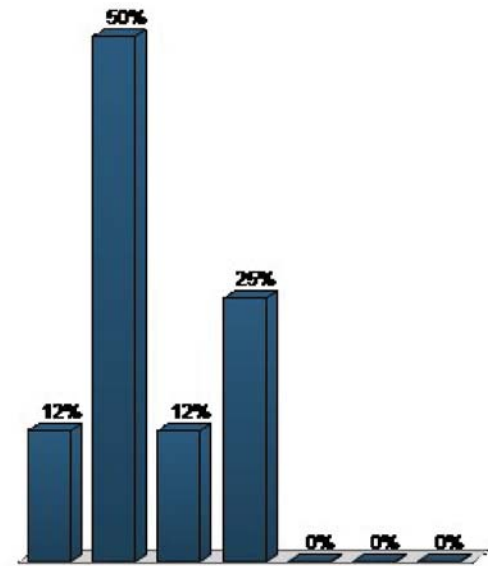
## 6. What is your zip code? (Multiple Choice)

	Responses	
	Percent	Count
78701	11.11%	1
78702	22.22%	2
78703	66.67%	6
78704	0%	0
78705	0%	0
78722	0%	0
78723	0%	0
78741	0%	0
78746	0%	0
Other (raise your hand for a comment card)	0%	0
<b>Totals</b>	<b>100%</b>	<b>9</b>



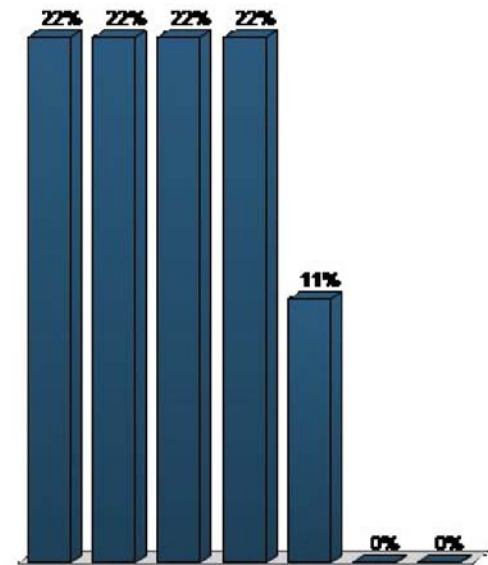
### 7. How often do you visit Eilers Park? (Multiple Choice)

	Responses	
	Percent	Count
Weekly	12.5%	1
Monthly	50%	4
Every Few Months	12.5%	1
Several Times a Year	25%	2
About Once a Year	0%	0
Almost Never	0%	0
Never	0%	0
<b>Totals</b>	<b>100%</b>	<b>8</b>



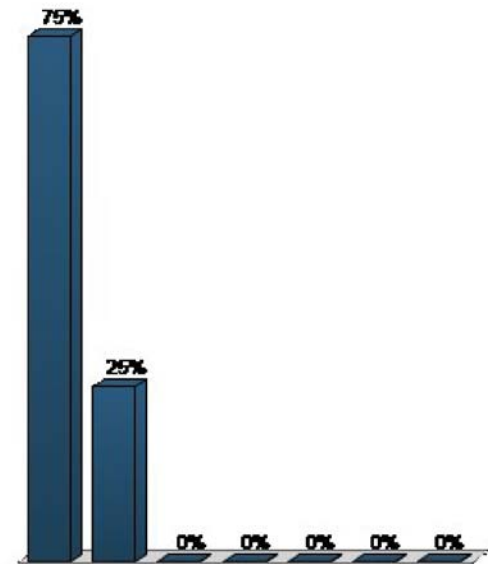
### 8. How often do you visit Deep Eddy? (Multiple Choice)

	Responses	
	Percent	Count
Weekly	22.22%	2
Monthly	22.22%	2
Every Few Months	22.22%	2
Several Times a Year	22.22%	2
About Once a Year	11.11%	1
Almost Never	0%	0
Never	0%	0
<b>Totals</b>	<b>100%</b>	<b>9</b>



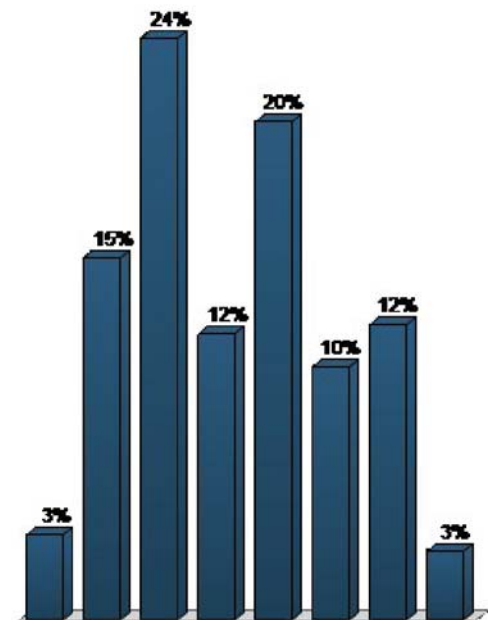
### 9. How often do you use the Butler Hike and Bike Trail? (Multiple Choice)

	Responses	
	Percent	Count
Weekly	75%	6
Monthly	25%	2
Every Few Months	0%	0
Several Times a Year	0%	0
About Once a Year	0%	0
Almost Never	0%	0
Never	0%	0
<b>Totals</b>	<b>100%</b>	<b>8</b>



### 10. What programs and amenities could Eilers Park include that would pair with a trip to Deep Eddy or the Butler Hike and Bike Trail? (select all that apply): (Priority Ranking)

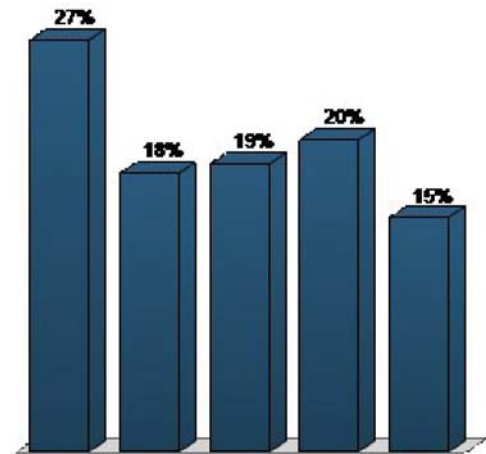
	Responses	
	Percent	Weighted Count
Grills	3.47%	10
Picnic Tables	14.93%	43
Playground	23.96%	69
Fitness Stations	11.81%	34
Shaded Seating	20.49%	59
Bottle Filling Station	10.42%	30
Gardens	12.15%	35
Other (raise your hand for a comment card)	2.78%	8
<b>Totals</b>	<b>100%</b>	<b>288</b>



ISSUE WITH  
WEIGHTING

**11. Eilers Park should include programs and amenities for the following age groups (select all that apply):**  
**(Priority Ranking)**

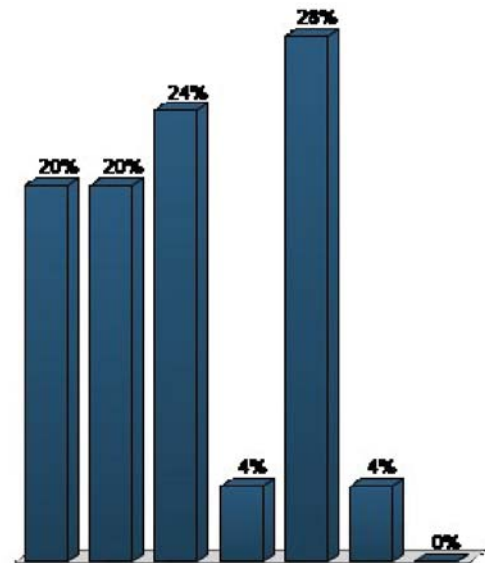
	Responses	
	Percent	Weighted Count
Children (0-12)	27.03%	90
Teenagers (13-19)	18.32%	61
Young Adults (20-29)	18.92%	63
Adults (30-54)	20.42%	68
Seniors (55+)	15.32%	51
<b>Totals</b>	<b>100%</b>	<b>333</b>



ISSUE WITH  
WEIGHTING

**12. What are the most important goals for Eilers Park (select your top three): (Priority Ranking)**

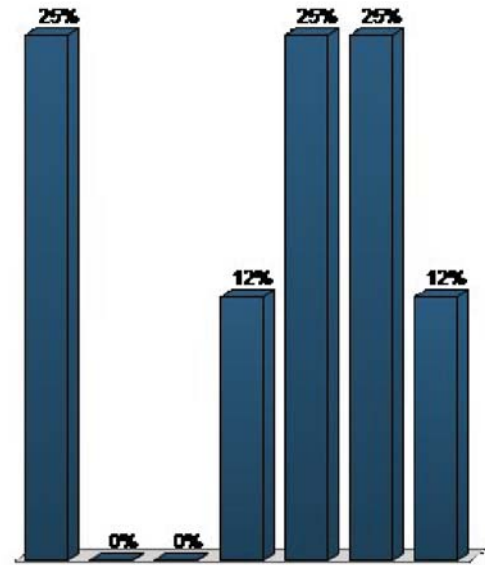
	Responses	
	Percent	Weighted Count
Create a sense of place complementary to Deep Eddy Pool	20%	5
Provide family and group oriented amenities	20%	5
Incorporate nature based play elements	24%	6
Improve site visibility and wayfinding from the parking lot	4%	1
Increase shade cover at playground and picnic areas	28%	7
Address invasive species	4%	1
Other (raise your hand for a comment card)	0%	0
<b>Totals</b>	<b>100%</b>	<b>25</b>



ISSUE WITH  
WEIGHTING

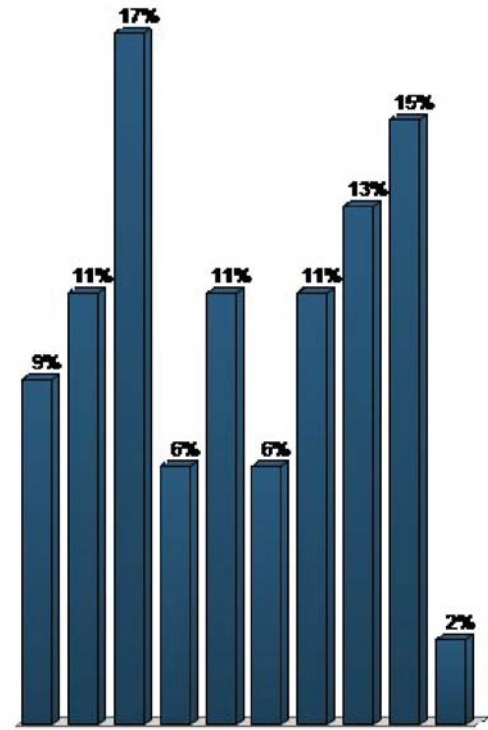
**13. The material character of the playground at Eilers Park should be (select one): (Multiple Choice)**

	Responses	
	Percent	Count
Natural (logs, stumps, rocks, stones and rope)	25%	2
Faux Natural (manufactured play features made to look like natural elements)	0%	0
Manmade (typical catalogue playground equipment)	0%	0
A combination of A and B	12.5%	1
A combination of A and C	25%	2
A combination of B and C	25%	2
Other (raise your hand for a comment card)	12.5%	1
<b>Totals</b>	<b>100%</b>	<b>8</b>



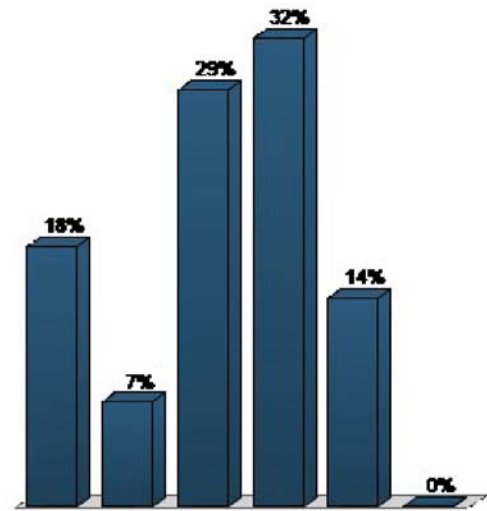
**14. The playground at Eilers Park should provide children with opportunities to (select all that apply):**  
**(Multiple Choice - Multiple Response)**

	Responses	
	Percent	Count
Balance	8.51%	4
Build	10.64%	5
Climb	17.02%	8
Dig	6.38%	3
Explore	10.64%	5
Hide	6.38%	3
Leap	10.64%	5
Slide	12.77%	6
Swing	14.89%	7
Other (raise your hand for a comment card)	2.13%	1
<b>Totals</b>	<b>100%</b>	<b>47</b>



**15. Eilers Park should provide Adults with opportunities to (select all that apply): (Multiple Choice - Multiple Response)**

Responses		
	Percent	Count
Exercise	17.86%	5
Grill	7.14%	2
Picnic	28.57%	8
Relax / Rest	32.14%	9
Swing	14.29%	4
Other (raise your hand for a comment card)	0%	0
<b>Totals</b>	<b>100%</b>	<b>28</b>







## Recommendation for Action

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**File #: 18-1795, Agenda Item #: 12.**

4/12/2018

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### **Agenda Item**

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### **ANSWER:**

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## Recommendation for Action

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**File #: 18-1864, Agenda Item #: 13-23.**

**4/12/2018**

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### Agenda Item

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COUNCIL MEMBER HOUSTON'S OFFICE

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## Recommendation for Action

**File #: 18-1849, Agenda Item #: 18.**

**4/12/2018**

### Agenda Item

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- High compression motorcycle engines are recommended to use premium fuel. Fleet does not carry this fuel type in any City-owned fueling facility.
- All Public Health and Safety departments including Austin Police, Austin Fire and Emergency Medical Services) who provide services to citizens in areas where a City-owned fueling station is not nearby (e.g., EMS services Travis County, not just Austin).
- Emergency response and/or disaster relief and mutual aid.
- Departments who work outside City surroundings where a City-owned fueling station is not nearby.
- City business travel.

2) Fuel cards have always been a part of our overall fuel strategy. In 2004 we consolidated and centralized to a citywide contract for commercial fleet card program.

3) Yes. There was a need for City staff to purchase fuel when conducting City business in an area where there are no City-owned fueling facilities. Initially we used individual consumer fuel cards (e.g. Exxon, Texaco, etc.). These cards provided access to purchase fuel for business operations but did not provide the controls and accountability that we needed (e.g. exclusion of non-fuel purchases such as food). The commercial fleet card provided those controls and accountability.

4) There are currently 380 vehicles and pieces of equipment using non-City fuel stations.

5) There are a total of 446 fuel cards currently in use. 380 are assigned to vehicles and equipment. The remaining cards have been issued to a Department Single Point of Contact for travel when needed (e.g. mutual aid or other City business) as opposed to the 380 which are issued to the vehicles and equipment and usable at any time.





## Recommendation for Action

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**File #: 18-1843, Agenda Item #: 21.**

**4/12/2018**

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### **Agenda Item**

**Agenda Item #21:** Authorize negotiation and execution of a multi-term contract with John L. Wortham & Son, L.P. D/B/A Wortham Insurance & Risk Management, to provide cyber liability broker services for cyber liability insurance coverage for Austin Energy, for up to five years for a total contract amount not to exceed \$2,425,000.

**QUESTION:** Who are the other cyber liability brokers that were considered for the awarding of the contract? Is there documentation that can be provided to evidence the evaluation of the qualifications of the cyber liability brokers considered for the contract?

COUNCIL MEMBER HOUSTON'S OFFICE

### **ANSWER:**

The cyber liability brokers contract will be written as a Professional Services Agreement; however, the City of Austin and Austin Energy Risk Management considered Aon Risk Services Southwest Inc. and John Wortham & Son LP for the contract.

The City of Austin and Austin Energy Risk Management considered the background and experience of the organization specifically related to providing cyber liability technical and consulting services to large electric utilities. The City of Austin and Austin Energy Risk Management also considered the organization's ability to manage large electric utility programs effectively, availability to large insurance markets, and knowledge of marketplace as well as premiums and loss arrangements.

Some highlights of John Wortham & Son LP experience and qualifications that were considered by City of Austin and Austin Energy Risk Management include:

- Wortham's prior experience working with the City (i.e. Excess Liability and Property Insurance).
- Wortham's Power Gen Practice Team represents more than 30 utilities across the U.S.
- Wortham's Managing Director's tenure is over 20 years, and client retention is over 95%.
- In August of 2016, Wortham was selected by American Public Power Association (APPA)/Hometown Connections to construct a Cyber Liability Insurance and services program for their 2000 members.



## Recommendation for Action

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**File #: 18-1867, Agenda Item #: 40.**

4/12/2018

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### **Agenda Item**

**Agenda Item #40:** C14-2018-0006 - Loyola Landing - District 1 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6651 Ed Bluestein Boulevard and 5601 Durango Pass (Walnut Creek Watershed) from community commercial (GR) district zoning, limited office (LO) district zoning, multifamily residence medium density (MF-3) district zoning and family residence (SF-3) district zoning to community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use (CS-MU) combining district zoning on Tract 2. Staff Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning on Tract 2. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning on Tract 1 and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning on Tract 2.

**QUESTION:** Was an educational impact study completed?  
COUNCIL MEMBER HOUSTON'S OFFICE

**ANSWER:**

Staff requested an educational impact memo from AISD on March 12, 2018. That memo has not been received yet. Staff has reached out to AISD with a reminder request and are waiting to hear back.