



**May 23, 2019**

## Questions and Answers Report



**Mayor Steve Adler**

**Mayor Pro Tem Delia Garza, District 2**

**Council Member Natasha Harper-Madison, District 1**

**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 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**

**Agenda Item #AHFC001:** Conduct a public hearing; receive comment; and approve a resolution authorizing the issuance of Austin Housing Finance Corporation Multi-family Housing Revenue Bonds in an aggregate principal amount not to exceed \$50,000,000 that will provide financing for the development of the Rebekah Baines Johnson Center by Austin Geriatric Center, Inc., or an affiliated entity, which is a proposed senior housing development to be located at 21 Waller Street, approving related documents (in substantially the same form as those attached to the resolution), and authorizing specific named representatives of the Austin Housing Finance Corporation to execute the documents relating to issuance of the bonds and closing the transaction.

**QUESTION/ANSWER:** COUNCIL MEMBER TOVO'S OFFICE

*1) Resolution No. 20180510-051 affirmed that Council will condition its TEFRA Approval on an agreement that the applicant will incorporate the lease addendum required in the RHDA Program and the Council directed the City Manager to take steps necessary to implement this condition into the application processes. Has the applicant committed to abiding by this stipulation? Is this commitment contained within the LURA?*

The application to Austin Housing Finance Corporation to issue Multi-family Housing Revenue Bonds was submitted prior to the Tenant Protection lease addendum being included in the Private Activity Bond (PAB) guidelines. Any PAB application received after January 2019 will include the lease addendum as Exhibit E as an attachment to the Regulatory Agreement. However, it is important to note that RBJ will have tenant protections incorporated through the Lease Addendum for RHDA-Assisted Properties. This was incorporated as part of the July 19, 2018 Rental Housing Development Assistance (RHDA) Program loan agreement between The Austin Geriatric Center, Inc. and Austin Housing Finance Corporation.

*2) Please describe the differences in the tenant protections incorporated into the July 19, 2018 Rental Housing Development Assistance (RHDA) loan agreement and the tenant protections that are included in the newly revamped 2019 RHDA lease addendum.*

Primarily, the lease addendum includes all of the provisions from the previous version and several of the aspects from the guidelines that were migrated over. This consolidation was an effort to ensure that tenants understood their rights and had all of the pertinent information in one location. Additional information and rights were included in the final version of the new lease addendum. These items are:

1. Tenant's Right to Conduct Activities related to a Tenant Organization.
2. Common Area Access, granting tenants the right to access all common areas free of charge.
3. Relocation provisions related to assistance if the tenant is permanently or temporarily forced to vacate their unit and granting a right to return once the unit returns to habitability.

**Agenda Item #3:** Authorize negotiation and execution of a 15-year power purchase agreement with Pandora Solar, LLC, a NextEra Energy subsidiary, for up to 250 megawatts of electricity from a utility-scale solar-generation facility, in an estimated amount of up to \$13,000,000 per year, for a total estimated amount of up to \$195,000,000.

**QUESTION/ANSWER:** COUNCIL MEMBER ALTER'S OFFICE

*1) Does this contract involve any minimum purchasing obligations and if so, what is that amount?*

We are required to purchase the full energy output of the facility under this contract. However, output will vary depending on sun intensity and ERCOT market prices.

*2) What are Austin Energy's obligations under this contract?*

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**Agenda Item #11:** Approve a resolution finding that the design-build method for buildings, as authorized by Subchapter G, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the project to build a new neighborhood public health center on the adjoining Cooper Tract adjacent to the Dove Springs Metro Park.

**QUESTION/ANSWER:** MAYOR PRO TEM GARZA'S OFFICE

*1) Are there any other options to expedite the timeline that we can no longer consider after we approve this item? We understand the expected completion is in 2023 and that seems unacceptable for a community that needs this center ASAP. Could we use the P3 model to help expedite the building of this center?*

The Capital Contracting Office (CCO), the Project Manager and Sponsor Department have determined that Design-Build provides the better value than the other methodologies in State Statutes 252 and 2269 to design and construct the new neighborhood public health center to serve the Dove Springs community. The Design-Build method will help deliver a quality project, mitigates project risk, and provides an expedited schedule.

Design-Build contract delivery method provides for a single firm (or joint venture) to provide both design and construction services. Design-Build is best for projects with schedule constraints as it allows construction to start before design documents are 100%. Additionally, because a single legal entity is responsible for both design and construction services there tend to be fewer change orders during construction.

Once the Design-Build is under contract, staff will work with the Design-Build to examine any schedule compression during Design and Construction. However, staff is already considering contract compression by:

- Using previously successful City DB team (Public Health, Public Works and CCO)
- Advance preparation of solicitation documents while the Design Criteria Manual (DCM) is being prepared so that the advertisement of the solicitation will occur immediately upon DCM Completion
- Evaluation process will include question(s) on schedule dynamics and compression of schedule
- Evaluation process will modified for 2 to 4-week compression by removing an optional interview process in a third step and requiring interview in the second step.
- Contract could be written for an early completion incentive; additional funding may be needed to support this option.

In regards to the use of a Private Public Partnership (P3), Council's approval of the resolution associated with Council agenda item 11 would not prohibit Council to provide direction to staff to examine the use of a P3 for this project. Approval of item 11, allows staff to begin work on the DCM which is a key component of the DB solicitation package and can also be used to inform a P3 effort.

**Agenda Item #16:** Authorize negotiation and execution of Amendment No. 2 to the interlocal agreement with Austin Independent School District for the provision of resources connecting parents and families to family-centered and other social services, to increase funding in an amount not to exceed \$290,000 for the 12-month period ending December 31, 2019 and each of

the three remaining 12-month extension options, for a total agreement amount not to exceed \$6,300,000.

**QUESTION/ANSWER: COUNCIL MEMBER FLANNIGAN'S OFFICE**

*1) In the Q&A from December 2017 staff noted this process was open to any school district or entity serving individuals who reside in Austin and/or Travis County. When was the last time this opportunity was opened up to/offered to other school districts within the City of Austin? When will it open again? How does the City ensure other entities know they are eligible to apply?*

The December 2017 Q&A response from Austin Public Health staff included information about two different Austin Independent School District programs. The Prime Time After School Enrichment contract was awarded funding through a 2014 Social Services Request for Applications (RFA) competitive solicitation process, which was open to any school district or entity serving individuals who reside in Austin and/or Travis County. The Parent Support Specialists program (Item #16 on the May 23, 2019 Agenda) was funded through City Council direction in the approved FY17-18 Budget.

We anticipate competing funds in the next two years.

Austin Public Health ensures mass communications about upcoming Request for Applications processes and eligibility guidelines are distributed widely and in a timely manner through the Austin Public Health website, listservs, coalitions of social services organizations, and advertising in local publications

**Agenda Item #19:** Authorize negotiation and execution of a second amendment to the existing interlocal agreement with Capital Metropolitan Transportation Authority (Capital Metro) for the cooperative development and construction of accessible sidewalks and associated pedestrian improvements at and in the vicinity of Capital Metro bus stops to extend the term by 4.5 years.

**QUESTION/ANSWER: COUNCIL MEMBER ELLIS' OFFICE**

*1) How much, if any, of the \$10,000,000 from the 2013 ILA amendment remains to be allocated and spent?*

Of the 2013 amendment to the Interlocal Agreement, \$3.2 million remains to be allocated, and \$4.4 million remains to be spent. This is an extension of time only to the ILA, no additional funds.

*2) How many of the approximately 2900 bus stops in Capital Metro's fixed-route system are still non-ADA-compliant and in need of accessibility improvements? Where are they located? Please provide a map of the non-ADA-compliant bus stops with the Council Districts, as well as a table that breaks down the number and percentage of non-ADA-compliant bus stops by District.*

The City does not have the entire inventory assessment data for Capital Metro's bus stops.

The following was provided by Capital Metro: This is not readily available data and it needs to be extracted from a few sources and verified with active bus stops in the system. Internal staff resources at Cap Metro would have questions to ensure it is what is needed. Before Cap Remap, we were at 99% accessible bus stops, but since then the system has changed from closing stops and opening new stops to activating older stops in the system.

*3) Approximately how much would it cost to fully fund ADA compliance improvements at all Capital Metro fixed-route stops?*

Provided by Capital Metro: This is hard to answer because of all the bus stops active in the system versus actual live improvements being conducted by private development that affect bus stops and adjacent sidewalks around the stops and blocks etc. It would be at least 1 million.

*4) In this proposed second amendment to the ILA, Capital Metro will reimburse the City for an amount up to 25% of the construction costs. How does this compare to the funding provisions of the original 2011 ILA and the 2013 amendment?*

It will be the same as the original ILA. The 25% of construction cost is reimbursement for City indirect costs such as planning, design, and inspections.

*5) If the City “plans to phase the work such that no more than \$150,000 of work is performed each month,” does this \$150,000 refer to the total amount, the City’s 75% share, or Capital Metro’s 25% share?*

The City does not pay a cost share. The City pays for the work, then requests reimbursement from Capital Metro. Cap Metro pays 100% of construction costs and up to 25% of costs for design management and inspection. The cap on the work completed each month applies to real construction of sidewalk and ADA facilities near bus stops as part of this program.

*6) What funding sources does Public Works plan to use to pay its 75% cost-share? How much is anticipated to be available via these funding streams for such bus stop improvements over the next 4.5 years?*

The City does not pay a cost share. The previous budget amendment transferred the \$10,000,000 to Public Works budget. The City pays for the work, then requests reimbursement from Capital Metro. Cap Metro pays 100% of construction costs and up to 25% of costs for design management and inspection. Costs for design management and inspection have never exceeded the reimbursable 25%, therefore, no City dollars have

been used to fund this program.

*7) If there is a gap between anticipated funding and the full funding level, how does Public Works plan to prioritize these bus stop improvements? Please be as specific as possible, especially with regards to coordination with Cap Remap as well as citywide geographic equity.*

Provided by Capital Metro: Capital Metro's planning and operations department prioritize based off the need where new service plans are implemented (for equitable service distribution and ridership needs.) For example, extending or changing a route and or adding a new route to the system will need to be prioritized so that functional accessible bus stops will be ready for service. Other factors are ROW limits/constraints, constructability of sites and outreach for areas impacted by stop improvements. Similar approach for Cap Remap, where it was a committee of personnel that prioritize the need based off previously listed factors in order to provide accessible bus stops. Cap Metro staff and City ATD staff collaborated.

**Agenda Item #24:** Approve an ordinance amending City Code Title 13 (Transportation Services) to add a new Chapter 13-8 related to franchise requirements for Shared Bicycle Services and Shared Micro-Mobility Services.

**QUESTION/ANSWER:** COUNCIL MEMBER ALTER'S OFFICE

*1) Please provide an estimate of the fees levied to date for dockless providers to participate in our market, and please provide an estimate of the costs accrued by the city.*

Below are the fees collected, associated with dockless bicycle and scooter device permitting.

FY – 17-18 - \$203,500

FY – 18-19 - \$599,658

It would be hard to accurately determine what dockless service planning, permitting and regulation have cost the Austin Transportation Department (ATD) to this point. A conservative guess would be, among all the associated ATD divisions (Engineering, Parking Enterprise, Signs & Markings, Active Transportation, Office of the Director), approximately \$700,000.

*2) How does the franchise model related to the permitting fees already in place?*

The current permitting model allows ATD to recoup estimated program costs. The franchise model would allow ATD to charge a fair market rate to pay for program expenses. Under the franchise model, the remainder of the money could provide transportation elements such as sidewalks or bike lanes, that would serve to enhance shared micro-mobility services.

*3) Through the franchise model, what kind of maintenance requirements exist? How are they enforced?*

Currently, the Director's Rules prescribe how devices are to be maintained or parked within the City's right of way. Sections 4, 6 and 8 speak specifically to maintenance requirements for dockless mobility units. Field staff routinely check many aspects of the service, such as speed capabilities, device wear and tear and improper parking.

*4) Does the City have any disposal requirements in place for decommissioned micromobility devices?*

Typically, the most sensitive element of a micro-mobility device is the lithium ion battery. Section 4- Safety J. of the Director's Rules states, "Licensees operating electric-assist units shall have a program to ensure proper recycling of batteries and disposal of these batteries under Universal Waste Battery disposal standards under Title 40 of the Code of Federal Regulations (CFR) in part 273".

*5) Who is liable if someone on a micromobility device injures another person or damages property, who is responsible - the individual riding, the company, or some combination of the two? Where is that liability established?*

The assignment of liability is civil legal process, raised by the individual(s) that allege damages were caused to their body or property. Each instance is taken on its own merits, with its own set of causes and circumstances.

*6) For which violations is the penalty forfeiture of the franchise and when is it a fine?*

ATD's intent is to use penalties, like the ones proposed in §13-8-17 PENALTIES, to charge the companies anywhere between \$150 and \$500 for each violation, to seek compliance. As with other standing franchise businesses, the forfeiture of a franchise would be based on the accumulation of several offenses and a demonstrated inability to correct issues satisfactorily. If passed, ATD would hold a stakeholder process and adjust the Director's Rules to outline offenses and the associated penalties.

**Agenda Item #25:** Approve an ordinance amending City Code Chapter 14-9, (Traffic or Sidewalk Obstructions) to broaden services regulated in the City's right-of-way, to include bicycles and micro-mobility devices, and repealing certain City Code sections.

**QUESTION/ANSWER:** COUNCIL MEMBER ALTER'S OFFICE

*1) What plans do APH and ATD have for monitoring dockless injuries moving forward?*

APH has led in developing standard screening criteria for medical facilities, to properly categorize injuries and where they originated. ATD will continue to work with APH to stay informed on the latest studies from the CDC and other organizations reviewing injuries arising from the use of scooters throughout the Austin.

**Agenda Item #29:** Approve resolution related to creating the Palm District Master Plan and Waller Creek District Master Plan, designating the Fifth Street Mexican American Heritage Corridor, negotiating options for public ownership and operation of the Palm School and surrounding site, providing funds for

the Rainey Street District Fund, expanding the Austin Convention Center, and creating a Tourism Public Improvement District.

**QUESTION/ANSWER: COUNCIL MEMBER ALTER'S OFFICE**

*1) What are the implications of proposed revenue bond for the expansion of the convention center on the allowable uses of Hotel Occupancy Tax (HOT) dollars? Specifically:*

*a) We currently allocate 15% each respectively to cultural arts as well as historic preservation. In the event that our HOT money becomes tied up in debt services to the proposed revenue bond, what might happen to the funds currently dedicated to those other uses? What protections might we put in place to maintain the current allocation percentages of the existing HOT money, and what options exist for expanding those flows with respect to the proposed additional 2% increase?*

The financing model for the potential convention center expansion does not include the current HOT allocation for Promotion of Arts (15%), Historic Preservation and Restoration (15%), or Tourism and Promotion (5.7%). The only HOT that is included in the model that would be pledged towards bond financing are the current Convention Center 4.5 allocation from the 7 percent Chapter 351 HOT assessment and the additional 2 percent assessment under Section 351.1065 of the Texas Tax Code.

The current 2 percent HOT Venue assessment under Chapter 334 of the Local Government Code would remain in place to service the Convention Center's Venue debt until it is paid off but would then go away. The current financing model does project early repayment of the Convention Center's current debt, prior to the scheduled year 2029 repayment term end date.

*b) Some authorized HOT revenue streams can be used only for the convention center, while others have the potential to be used for other types of projects. Please explain how funding could work such that other projects would still be possible in the future (pending a vote).*

The HOT that would be available for other projects would be the 2 percent HOT Venue assessed under Chapter 334, once the Convention Center's current debt is paid off, as described above. This source of funding would be available to either the City, the County, or both, up to 2 percent for a voter-approved, qualified project under Chapter 334. The only allowable use of the 2 percent assessment under Section 351.1065 is for the expansion of an existing convention center

*2) From the UT study: scenarios 4.1 and 5.1 seem quite similar, save for the tower and below-grade vs. street-level Blue Line, yet they have significantly different price tags (5.1 is \$275 million more expensive). Please explain the differential in the cost estimate.*

The difference in the cost estimates for 4.1 and 5.1 is a result of the inclusion of a privately developed tower in 4.1, but not in 5.1. The footprint of the convention center space is smaller in 4.1 than in 5.1, and therefore results in lower project costs for that phase. Both 4.1 and 5.1 were developed to work in conjunction with the second phase developed in 4.2 and 5.2,

respectively. Both phases in scenarios 4 and 5 would be required to result in a completed convention center expansion project.

*3) How much does the convention center currently have in reserve for building out or renovating the center?*

The estimated projections for the FY 2019 Convention Center Capital Fund balances related to the convention center are:

Funding Source	Total
HOT (Convention Center 4.5 Ch 351)	44,200,000
Venue HOT (Venue 2.0 Ch 334)	42,300,000
Total	86,500,000

Note: The amounts represent the Convention Center funding not allocated to specific projects underway/planned that are included in Capital Improvement Project Plan.

*4) Please provide the HOT receipts for the last several years as well as a comparison of budgeted and actual HOT receipts for those years.*

Total Budget versus Actual Hotel Occupancy Tax revenues for the last 3 fiscal years are:

Year	Budget	Actual	Difference
FY 2015-2016	79,311,936	87,603,764	8,291,828
FY 2016-2017	90,494,712	93,119,418	2,624,706
FY 2017-2018	95,073,745	96,244,361	1,170,616

Note: Amounts represent budget-basis HOT distributions to recipient funds

*5) Please provide an event-by-event breakdown of Austin Convention Center business over the last three years, including attendance numbers and room night data.*

See attachment.

**Agenda Item #59:** Approve an ordinance amending City Code Chapters 12-1 (Traffic Regulation and Administration) and 12-2 (Bicycles) relating to the operation of micro-mobility devices and bicycles on sidewalks and roadways.

**QUESTION/ANSWER:** COUNCIL MEMBER ALTER'S OFFICE

*1) How are "reasonable" and "prudent" defined for rider behavior? Are these definitions subjective or open to the interpretation of whoever is enforcing or defending rider behavior?*

Reasonable and prudent are terms that are applied to law in general, which ultimately relies on an outcome. In this ordinance, reasonable and prudent would typically only be applied if riding results in a loss of control. The loss of control, crash, or similar is evidence of not driving in a responsible and prudent manner.

*2) Are there separate fines for riders who cause bodily harm to others or damage property?*

Riders who cause harm to another person or to property are responsible for their actions. Individuals injured, or harm must hold the individual responsible accountable in a court of law. Riders are fined based on a specific violation of a law or ordinance. Bodily damage to a person or property could have wide, varying ranges in value, which cannot be adequately captured in the text of an ordinance. All riders or drivers who cause harm to others are not always held criminally liable but may be held civilly liable. As is the case with many motor vehicle accidents, those who have incurred damages they wish to be compensated for, must file a lawsuit against the person(s) who caused those damages.



### Council Question and Answer

Related To	Item #AHFC001	Meeting Date	May 23, 2019
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### Additional Answer Information

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**QUESTION/ANSWER:** Council Member Tovo's Office

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**Related To**

**Item #3**

**Meeting Date**

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Related To

Item #11

Meeting Date

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Additional Answer Information

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### Council Question and Answer

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**QUESTION/ANSWER:** Council Member Flannigan's Office

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**QUESTION/ANSWER:** Council Member Ellis' Office.

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The City does not pay a cost share. The previous budget amendment transferred the \$10,000,000 to Public Works budget. The City pays for the work, then requests reimbursement from Capital Metro. Cap Metro pays 100% of construction costs and up to 25% of costs for design management and inspection. Costs for design management and inspection have never exceeded the reimbursable 25%, therefore, no City dollars have been used to fund this program.

*7) If there is a gap between anticipated funding and the full funding level, how does Public Works plan to prioritize these bus stop improvements? Please be as specific as possible, especially with regards to coordination with Cap Remap as well as citywide geographic equity.*

Provided by Capital Metro: Capital Metro's planning and operations department prioritize based off the need where new service plans are implemented (for equitable service distribution and ridership needs.) For example, extending or changing a route and or adding a new route to the system will need to be prioritized so that functional accessible bus stops will be ready for service. Other factors are ROW limits/constraints, constructability of sites and outreach for areas impacted by stop improvements. Similar approach for Cap Remap, where it was a committee of personnel that prioritize the need based off previously listed factors in order to provide accessible bus stops. Cap Metro staff and City ATD staff collaborated.



### Council Question and Answer

Related To	Item #24	Meeting Date	May 23, 2019
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### Additional Answer Information

Approve an ordinance amending City Code Title 13 (Transportation Services) to add a new Chapter 13-8 related to franchise requirements for Shared Bicycle Services and Shared Micro-Mobility Services.

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

*1) Please provide an estimate of the fees levied to date for dockless providers to participate in our market, and please provide an estimate of the costs accrued by the city.*

Below are the fees collected, associated with dockless bicycle and scooter device permitting.

FY – 17-18 - \$203,500

FY – 18-19 - \$599,658

It would be hard to accurately determine what dockless service planning, permitting and regulation have cost the Austin Transportation Department (ATD) to this point. A conservative guess would be, among all the associated ATD divisions (Engineering, Parking Enterprise, Signs & Markings, Active Transportation, Office of the Director), approximately \$700,000.

*2) How does the franchise model related to the permitting fees already in place?*

The current permitting model allows ATD to recoup estimated program costs. The franchise model would allow ATD to charge a fair market rate to pay for program expenses. Under the franchise model, the remainder of the money could provide transportation elements such as sidewalks or bike lanes, that would serve to enhance shared micro-mobility services.

*3) Through the franchise model, what kind of maintenance requirements exist? How are they enforced?*

Currently, the Director's Rules prescribe how devices are to be maintained or parked within the City's right of way. Sections 4, 6 and 8 speak specifically to maintenance requirements for dockless mobility units. Field staff routinely check many aspects of the service, such as speed capabilities, device wear and tear and improper parking.

*4) Does the City have any disposal requirements in place for decommissioned micromobility devices?*

Typically, the most sensitive element of a micro-mobility device is the lithium ion battery. Section 4- Safety J. of the Director's Rules states, "Licensees operating electric-assist units shall have a program to ensure proper recycling of batteries and disposal of these batteries under Universal Waste Battery disposal standards under Title 40 of the Code of Federal Regulations (CFR) in part 273".

*5) Who is liable if someone on a micromobility device injures another person or damages property, who is responsible - the individual riding, the company, or some combination of the two? Where is that liability established?*

The assignment of liability is civil legal process, raised by the individual(s) that allege damages were caused to their body or property. Each instance is taken on its own merits, with its own set of causes and circumstances.

*6) For which violations is the penalty forfeiture of the franchise and when is it a fine?*

ATD's intent is to use penalties, like the ones proposed in §13-8-17 PENALTIES, to charge the companies anywhere between \$150 and \$500 for each violation, to seek compliance. As with other standing franchise businesses, the forfeiture of a franchise would be based on the accumulation of several offenses and a demonstrated inability to correct issues satisfactorily. If passed, ATD would hold a stakeholder process and adjust the Director's Rules to outline offenses and the associated penalties.



**Related To**

Item #25

**Meeting Date**

May 23, 2019

Additional Answer Information

Approve an ordinance amending City Code Chapter 14-9, (Traffic or Sidewalk Obstructions) to broaden services regulated in the City's right-of-way, to include bicycles and micro-mobility devices, and repealing certain City Code sections.

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

*1) What plans do APH and ATD have for monitoring dockless injuries moving forward?*

APH has led in developing standard screening criteria for medical facilities, to properly categorize injuries and where the originated. ATD will continue to work with APH to stay informed on the latest studies from the CDC and other organizations reviewing injuries arising from the use of scooters throughout the Austin.



### Council Question and Answer

Related To	Item #29	Meeting Date	May 23, 2019
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### Additional Answer Information

Approve resolution related to creating the Palm District Master Plan and Waller Creek District Master Plan, designating the Fifth Street Mexican American Heritage Corridor, negotiating options for public ownership and operation of the Palm School and surrounding site, providing funds for the Rainey Street District Fund, expanding the Austin Convention Center, and creating a Tourism Public Improvement District.

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

*1) What are the implications of proposed revenue bond for the expansion of the convention center on the allowable uses of Hotel Occupancy Tax (HOT) dollars? Specifically:*

*a) We currently allocate 15% each respectively to cultural arts as well as historic preservation. In the event that our HOT money becomes tied up in debt services to the proposed revenue bond, what might happen to the funds currently dedicated to those other uses? What protections might we put in place to maintain the current allocation percentages of the existing HOT money, and what options exist for expanding those flows with respect to the proposed additional 2% increase?*

The financing model for the potential convention center expansion does not include the current HOT allocation for Promotion of Arts (15%), Historic Preservation and Restoration (15%), or Tourism and Promotion (5.7%). The only HOT that is included in the model that would be pledged towards bond financing are the current Convention Center 4.5 allocation from the 7 percent Chapter 351 HOT assessment and the additional 2 percent assessment under Section 351.1065 of the Texas Tax Code.

The current 2 percent HOT Venue assessment under Chapter 334 of the Local Government Code would remain in place to service the Convention Center's Venue debt until it is paid off but would then go away. The current financing model does project early repayment of the Convention Center's current debt, prior to the scheduled year 2029 repayment term end date.

*b) Some authorized HOT revenue streams can be used only for the convention center, while others have the potential to be used for other types of projects. Please explain how funding could work such that other projects would still be possible in the future (pending a vote).*

The HOT that would be available for other projects would be the 2 percent HOT Venue assessed under Chapter 334, once the Convention Center's current debt is paid off, as described above. This source of funding would be available to either the City, the County, or both, up to 2 percent for a voter-approved, qualified project under Chapter 334. The only allowable use of the 2 percent assessment under Section 351. 1065 is for the expansion of an existing convention center.

*2) From the UT study: scenarios 4.1 and 5.1 seem quite similar, save for the tower and below-grade vs. street-level Blue Line, yet they have significantly different price tags (5.1 is \$275 million more expensive). Please explain the differential in*

*the cost estimate.*

The difference in the cost estimates for 4.1 and 5.1 is a result of the inclusion of a privately developed tower in 4.1, but not in 5.1. The footprint of the convention center space is smaller in 4.1 than in 5.1, and therefore results in lower project costs for that phase. Both 4.1 and 5.1 were developed to work in conjunction with the second phase developed in 4.2 and 5.2, respectively. Both phases in scenarios 4 and 5 would be required to result in a completed convention center expansion project.

*3) How much does the convention center currently have in reserve for building out or renovating the center?*

The estimated projections for the FY 2019 Convention Center Capital Fund balances related to the convention center are:

Funding Source	Total
HOT (Convention Center 4.5 Ch 351)	44,200,000
Venue HOT (Venue 2.0 Ch 334)	42,300,000
Total	86,500,000

Note: The amounts represent the Convention Center funding not allocated to specific projects underway/planned that are included in Capital Improvement Project Plan.

*4) Please provide the HOT receipts for the last several years as well as a comparison of budgeted and actual HOT receipts for those years.*

Total Budget versus Actual Hotel Occupancy Tax revenues for the last 3 fiscal years are:

Year	Budget	Actual	Difference
FY 2015-2016	79,311,936	87,603,764	8,291,828
FY 2016-2017	90,494,712	93,119,418	2,624,706
FY 2017-2018	95,073,745	96,244,361	1,170,616

Note: Amounts represent budget-basis HOT distributions to recipient funds

*5) Please provide an event-by-event breakdown of Austin Convention Center business over the last three years, including attendance numbers and room night data.*

The information related to Convention Center events, attendance, and room nights for the last 3 fiscal years is presented below.

For the reasons discussed in previously presented information to Council, the Tourism Commission, and the Visitor Impact Task Force, the attendance and room night numbers are estimates. The attendance estimates are based on a unique attendee approach, not a turn-style approach.

The "final attendance" column for fiscal year 2015-2016 is blank due to a system conversion.

The summary information for each year is in shown here, followed by the detailed information.

Fiscal Year	Event Count	Estimated Attendance	Estimated Room nights
FY2015-2016	112	493,956	235,085
FY2016-2017	102	495,106	248,101
FY2017-2018	102	555,013	203,073

### FY 15-16 ACC Definite Events

Description (Post as)	In Date	Out Date	Forecasted Attendance	Estimated Final Attendance*	Actual Total Room Nights
<b>Grand Total - Count: 112</b>			<b>493,956</b>	<b>0</b>	<b>235,085</b>
<b>COA (COA) - Count: 3</b>			<b>890</b>	<b>0</b>	<b>0</b>
2015 Austin Police Corporal Detective Written Exam	10/09/15	10/09/15	400	0	0
2016 EPA Region 6 CMOM Workshop	08/15/16	08/16/16	450	0	0
2016 Traffic Control Technician Training	08/15/16	08/18/16	40	0	0
<b>COA Non-Revenue (COANR) - Count: 2</b>			<b>125</b>	<b>0</b>	<b>0</b>
City Manager's Department Director's Meeting	12/01/15	12/02/15	60	0	0
City Manager Department Director's Meeting	04/05/16	04/05/16	65	0	0
<b>Concert/Performance (CNCRT) - Count: 1</b>			<b>250</b>	<b>0</b>	<b>0</b>
Fashion Arena Austin 2016	01/16/16	01/17/16	250	0	0
<b>Conference (CONF) - Count: 12</b>			<b>19,375</b>	<b>0</b>	<b>6,975</b>
2015 InnoTech Austin	10/07/15	10/08/15	1,500	0	0
2015 The Texas Conference for Women	10/13/15	10/15/15	6,500	0	0
2016 Emerging Manager Conference	01/13/16	01/13/16	900	0	0
2016 Texas Assessment Conference	02/14/16	02/16/16	1,600	0	2,190
VMUG Austin UserCon 2016	04/06/16	04/07/16	375	0	0
2016 Environments for Aging Conference	04/08/16	04/12/16	500	0	1,152
2016 Central TX Infrastructure Design & Construction Symposium	04/14/16	04/15/16	600	0	0
DreamHack Austin 2016	05/05/16	05/09/16	2,000	0	836

2016 Smart Cities Conference	06/11/16	06/16/16	2,000	0	336
2016 Legal Digest Law Conference	06/13/16	06/14/16	1,700	0	0
2016 Texas Behavioral Health Institute Conference	07/10/16	07/15/16	1,200	0	2,461
2016 Austin Game Conference	09/20/16	09/22/16	500	0	0
<b>Consumer Show (CONSH) - Count: 13</b>			<b>106,250</b>	<b>0</b>	<b>1,409</b>
2015 Wizard World Comic Con	10/27/15	11/01/15	10,000	0	149
2015 Art From the Streets	12/04/15	12/08/15	1,500	0	0
2015 Mecum Car Auction	12/07/15	12/15/15	10,000	0	1,260
2016 Austin Boat Show	01/05/16	01/11/16	15,000	0	0
2016 Austin Home & Garden Show	01/13/16	01/18/16	20,000	0	0
2016 Star of Texas Tattoo Arts Revival	01/21/16	01/24/16	3,000	0	0
2016 TRVA Austin RV Expo	02/16/16	02/21/16	10,000	0	0
2016 Gluten Free Food Allergy Fest	04/01/16	04/03/16	3,000	0	0
2016 Austin Auto Show	04/04/16	04/11/16	10,000	0	0
2016 MommyCon Austin	06/23/16	06/27/16	750	0	0
2016 Texas Robot Roundup	07/28/16	07/30/16	1,000	0	0
2016 Austin Fall Home & Garden Show	08/24/16	08/29/16	20,000	0	0
2016 Bridal Extravaganza	09/09/16	09/11/16	2,000	0	0
<b>Convention (CONV) - Count: 39</b>			<b>314,811</b>	<b>0</b>	<b>223,349</b>
2015 Gas Machinery Conference	10/04/15	10/07/15	1,200	0	1,632
2015 South by Southwest Eco Conference	10/04/15	10/07/15	3,000	0	685
2015 Annual Meeting & Exhibit	10/08/15	10/14/15	2,200	0	5,825
2015 ACM SC Convention	10/12/15	11/21/15	12,911	0	21,897
2015 DELL World	10/16/15	10/23/15	8,000	0	8,007
Blackbaud Conference for Nonprofits	10/24/15	10/29/15	2,400	0	6,413
2015 AMP Annual Meeting	11/01/15	11/08/15	1,800	0	5,515
2015 The Running Event	11/28/15	12/05/15	1,700	0	2,712
2016 MLA Annual Convention	01/06/16	01/10/16	7,200	0	10,658
Clinical Nutrition Week 2016 (CNW16)	01/13/16	01/19/16	1,800	0	4,511
2016 TASA Midwinter Conference	01/23/16	01/27/16	5,500	0	5,196
2016 TCEA Annual Convention	01/28/16	02/06/16	14,000	0	10,356
2016 Annual Scientific Conference	02/08/16	02/14/16	2,400	0	4,495
Johnstone Supply	02/22/16	02/24/16	1,000	0	1,872
2016 GEAPS Int'l Technical Conference and Exposition	02/24/16	03/02/16	1,800	0	4,432
2016 South by Southwest	03/04/16	03/21/16	150,000	0	56,376

2016 AAHA Yearly Conference	03/28/16	04/03/16	2,500	0	5,377
2016 NAFA Annual Institute & Expo	04/16/16	04/23/16	2,000	0	3,618
2016 OpenStack Spring Summit	04/21/16	04/29/16	7,500	0	10,411
2016 TCEQ Environmental Trade Fair & Conference	04/29/16	05/04/16	6,000	0	2,383
NFMT High Performance Buildings & Workplaces	04/30/16	05/05/16	400	0	289
2016 Southwest Fuel & Convenience Expo	05/08/16	05/11/16	2,000	0	988
2016 Annual Scientific Meeting	05/09/16	05/14/16	1,600	0	1,937
OSCON 2016	05/14/16	05/20/16	2,500	0	4,265
2016 AJA Annual Training Conference & Jail Expo	05/20/16	05/26/16	2,200	0	3,215
2016 Big Communications Event	05/20/16	05/25/16	2,000	0	930
2016 Design Automation Conference	05/31/16	06/10/16	8,000	0	4,407
2016 TASSP Summer Workshop	06/14/16	06/17/16	2,850	0	3,618
Evolution 2016 Conference	06/16/16	06/22/16	1,900	0	2,123
2016 TASN Annual Convention	06/18/16	06/22/16	1,200	0	1,527
2016 RTX	06/29/16	07/04/16	15,000	0	4,225
2016 ASPB Annual Meeting	07/07/16	07/15/16	1,600	0	2,131
2016 Take Shape for Life National Convention	07/19/16	07/24/16	3,500	0	4,602
2016 ATPE Annual Summit	07/20/16	07/22/16	950	0	1,017
2016 NI Week	07/26/16	08/05/16	6,000	0	5,858
2016 KW Mega Camp	08/05/16	08/12/16	7,500	0	6,070
2016 Construct	09/06/16	09/10/16	2,700	0	2,119
2016 World's Fair of Cosmetic Arts & Sciences	09/13/16	09/20/16	8,000	0	1,310
2016 Wizard World Austin Comic Con	09/21/16	09/26/16	10,000	0	347
<b>Convention w/o Exhibits (CNVWO) - Count: 1</b>			<b>900</b>	<b>0</b>	<b>723</b>
2016 Title III Symposium	07/25/16	07/27/16	900	0	723
<b>Exam/Training (EXMTR) - Count: 1</b>			<b>200</b>	<b>0</b>	<b>0</b>
Win in Texas Sales Rally	06/19/16	06/20/16	200	0	0
<b>Film/Photo (FLMPH) - Count: 2</b>			<b>600</b>	<b>0</b>	<b>450</b>
Page Southerland Page Photo Shoot	01/22/16	01/22/16	0	0	0
2016 Capital City Black Film Festival	08/25/16	08/28/16	600	0	450
<b>Food &amp; Beverage (FB) - Count: 6</b>			<b>4,080</b>	<b>0</b>	<b>0</b>
50th Anniversary DeWitty/Overton Freedom Fund Banquet	12/05/15	12/05/15	800	0	0
Hunters' Heritage Banquet	01/14/16	01/14/16	250	0	0
Dell Children's Gala 2016	01/21/16	01/24/16	900	0	0
2016 TTIA TX Tourism Unity Dinner	02/22/16	02/24/16	900	0	0

2016 Friends of Boy Scouting	02/25/16	02/25/16	430	0	0
2016 ACVB Annual Luncheon	08/29/16	08/31/16	800	0	0
<b>Meeting/Workshop/Seminar (MWSSM) - Count: 25</b>			<b>12,325</b>	<b>0</b>	<b>419</b>
GE Oil & Gas Reciprocating Compression Meeting	10/04/15	10/07/15	20	0	0
Capital Metro Open House	10/08/15	10/08/15	140	0	0
The Photographers Creative Revolution Tour with Joel Grimes	12/01/15	12/02/15	350	0	0
2015 No Place for Hate Youth Summit	12/07/15	12/07/15	600	0	0
CMTA Downtown Stakeholder Meeting and Open House	12/11/15	12/11/15	50	0	0
SXSW Training - Drone Demo	01/13/16	01/13/16	20	0	0
2016 Volunteer Call	01/24/16	01/24/16	2,000	0	0
2016 MPI THCC Leadership Academy	01/29/16	01/29/16	25	0	0
2016 SXSW Volunteer Call	02/06/16	02/06/16	2,500	0	0
Technical Assistance Panel (TAP)	02/10/16	02/11/16	15	0	0
2016 Body Hacking	02/19/16	02/21/16	400	0	119
2016 Downtown Austin Alliance SXSW Stakeholders Meeting	02/25/16	02/25/16	150	0	0
SXSW 2016 Volunteer Conference/ Crew Pre-Event	02/27/16	02/28/16	3,500	0	0
Dell SRS Austin	03/28/16	03/31/16	500	0	300
Careers at IDEXX	04/01/16	04/01/16	200	0	0
All-City 2016 Hosted in Austin	04/05/16	04/06/16	350	0	0
Downtown Station Proposal Conference	04/06/16	04/07/16	75	0	0
InfoSec Southwest 2016	04/08/16	04/10/16	300	0	0
2016 Big Data Bootcamp	04/08/16	04/10/16	50	0	0
2016 New IP Agency Interoperability Demo	05/02/16	05/06/16	10	0	0
2016 MDE Latino Seminar	05/07/16	05/07/16	300	0	0
Texas Linux Festival 2016	07/07/16	07/09/16	500	0	0
Executive Committee Strategic Planning Meeting	08/19/16	08/19/16	20	0	0
2016 September Exhibitor Meeting	08/25/16	08/25/16	50	0	0
2016 Qi Revolution	08/26/16	08/28/16	200	0	0
<b>Sporting Event (SPORT) - Count: 5</b>			<b>23,400</b>	<b>0</b>	<b>1,612</b>
2016 Tour of Texas Warm Up	12/30/15	01/03/16	3,000	0	920
2016 Battle of the Badges	01/20/16	01/22/16	4,000	0	0
ATX Showcase 2016	02/10/16	02/14/16	1,000	0	692
Top 10 Austin 2016	04/01/16	04/03/16	400	0	0
2016 Naturally Fit Games	06/22/16	06/26/16	15,000	0	0
<b>Trade Show (TRADE) - Count: 2</b>			<b>10,750</b>	<b>0</b>	<b>148</b>

2016 3M Half Marathon Expo  
2016 Southwest Showcase

01/22/16	01/23/16	10,000	0	0
01/26/16	01/28/16	750	0	148

## FY 16-17 ACC Definite Events

Description (Post as)	In Date	Out Date	Forecasted Attendance	Estimated Final Attendance	Actual Total Room Nights
<b>Grand Total - Count: 102</b>			<b>516,430</b>	<b>495,106</b>	<b>248,101</b>
<b>COA (COA) - Count: 4</b>			<b>950</b>	<b>964</b>	<b>0</b>
Joint Counterterrorism Awareness Workshop Series (JCTAWS)	02/20/17	02/22/17	250	245	0
Town Hall Meeting	02/25/17	02/25/17	150	160	0
City of Austin Equity Office Training	03/27/17	03/28/17	100	100	0
2017 EPA Region 6 CMOM Workshop	08/14/17	08/15/17	450	459	0
<b>COA Non-Revenue (COANR) - Count: 3</b>			<b>275</b>	<b>173</b>	<b>0</b>
City Manager Department Director's Meeting	10/04/16	10/04/16	65	70	0
White House 21st Century Regional Policing Briefing	11/17/16	11/17/16	200	100	0
City of Austin Strategic Planning Meeting	07/25/17	07/25/17	10	3	
<b>Concert/Performance (CNCRT) - Count: 2</b>			<b>4,500</b>	<b>8,517</b>	<b>0</b>
2016 America's Got Talent Auditions	11/18/16	11/20/16	2,000	2,000	0
2017 The Voice Open Call Auditions	05/12/17	05/13/17	2,500	6,517	0
<b>Conference (CONF) - Count: 10</b>			<b>17,225</b>	<b>19,142</b>	<b>5,158</b>
2016 The Texas Conference for Women	11/13/16	11/16/16	7,250	7,250	0
2016 InnoTech Austin	11/16/16	11/17/16	1,500	1,500	0
2017 TRS/ERS Conference	01/18/17	01/19/17	1,500	1,387	0
31st Annual Texas Assessment Conference	02/19/17	02/21/17	1,600	2,480	2,134
VMUG Austin UserCon 2017	03/27/17	03/28/17	375	350	0
2017 Central TX Infrastructure Design & Construction Symposium	05/04/17	05/05/17	600	523	0
2017 Legal Digest Law Conference	06/12/17	06/13/17	1,700	2,008	0
2017 Smart Cities Connect Conference & Expo	06/24/17	06/28/17	1,000	1,800	340
2017 TBHI Conference	07/30/17	08/04/17	1,200	1,444	2,684

2017 Austin Game Conference	09/20/17	09/22/17	500	400	0
<b>Consumer Show (CONSH) - Count: 14</b>			<b>112,600</b>	<b>100,163</b>	<b>175</b>
2016 Art From the Streets	11/18/16	11/21/16	1,700	1,700	0
2017 Austin Home & Garden Show	01/11/17	01/16/17	10,000	10,000	0
2017 Austin Boat Show	01/17/17	01/23/17	15,000	5,971	0
2017 3M Half Marathon Expo	01/19/17	01/21/17	10,000	10,000	0
2017 Body Hacking	01/26/17	01/29/17	400	300	111
2017 TRVA Austin RV Expo	02/14/17	02/19/17	10,000	9,140	0
2017 Austin Marathon Expo	02/16/17	02/18/17	30,000	30,000	0
2017 Austin Auto Show	03/20/17	03/27/17	10,000	10,000	0
2017 Gluten Free Food Allergy Fest	04/06/17	04/09/17	3,000	1,750	0
2017 UIL Robotics State Championship - FIRST Division	05/18/17	05/20/17	500	750	0
2017 MommyCon Austin	06/01/17	06/04/17	1,000	1,000	64
Brick Fest Live 2017	07/28/17	07/30/17	10,000	8,752	0
2017 Fall Home & Garden Show	08/16/17	08/21/17	10,000	10,000	0
The Franchise Expo	09/22/17	09/24/17	1,000	800	0
<b>Convention (CONV) - Count: 40</b>			<b>339,500</b>	<b>337,332</b>	<b>238,446</b>
2016 Texas Municipal League Annual Conference & Exhibition	10/02/16	10/07/16	4,000	4,500	6,294
Annual Conference for Middle Level Education	10/08/16	10/13/16	5,000	1,953	3,212
SXSW Eco 2016	10/09/16	10/12/16	2,500	2,500	720
Dell EMC World 2016	10/13/16	10/21/16	8,000	8,000	10,602
2016 Emerson Global Users Exchange	10/21/16	10/28/16	2,300	2,900	7,218
2016 Tableau Customer Conference	10/22/16	11/13/16	12,000	13,000	29,335
SpiceWorld Austin 2016	10/29/16	11/04/16	2,500	2,500	2,718
2016 JDC Aftermarket Expo	11/29/16	12/16/16	6,000	6,000	8,667
2017 Convening Leaders	01/03/17	01/12/17	3,500	4,175	10,830
2017 TASA Midwinter Conference	01/28/17	02/01/17	6,500	6,500	5,622
2017 TCEA Annual Convention	02/02/17	02/11/17	13,000	11,138	10,259
61st Annual Convention and Exhibition	02/20/17	02/26/17	4,500	4,300	2,187
Association of Kentucky Fried Chicken Franchisees, Inc.	02/24/17	03/01/17	1,400	1,699	3,677
TASBO 71st Annual Conference	02/26/17	03/03/17	1,800	4,384	4,297
2017 SXSW	03/03/17	03/20/17	150,000	150,000	55,647
National Conference on Tobacco or Health	03/20/17	03/24/17	1,900	1,852	3,673
Groundbreak 2017	03/27/17	04/01/17	2,000	1,675	1,847
2017 SRCD Biennial Meeting	04/04/17	04/08/17	6,500	6,195	7,150

Texas Water 2017	04/08/17	04/13/17	3,600	4,998	1,525
DockerCon 2017	04/13/17	04/21/17	5,100	5,108	5,134
Payments 2017	04/20/17	04/27/17	2,300	2,325	4,977
DreamHack Austin 2017	04/24/17	05/01/17	20,000	21,422	1,365
2017 Annual Meeting and Clinical Congress	05/01/17	05/07/17	2,900	2,900	2,841
OSCON 2017	05/06/17	05/12/17	6,000	2,173	2,222
2017 TCEQ Environmental Trade Fair & Conference	05/12/17	05/17/17	6,000	5,670	2,937
2017 Big Communications Event	05/13/17	05/17/17	1,500	1,150	456
2017 NI Week	05/16/17	05/26/17	6,000	5,421	6,836
2017 Annual AHIP Institute	06/04/17	06/09/17	2,500	2,477	3,354
2017 AAMI Annual Conference & Expo	06/07/17	06/13/17	1,800	2,603	3,583
2017 TASSP	06/12/17	06/16/17	2,850	2,282	4,332
2017 Design Automation Conference	06/14/17	06/23/17	8,000	4,922	4,248
2017 CMSA Annual Conference	06/24/17	06/30/17	1,700	1,987	3,799
2017 RTX	07/05/17	07/10/17	21,650	20,833	4,040
2017 Texas Girls Coaches Association	07/10/17	07/13/17	3,500	3,750	1,411
2017 ATPE Annual Summit	07/10/17	07/12/17	1,300	871	1,070
2017 AALL Annual Meeting	07/12/17	07/19/17	1,800	2,136	4,808
The Unconventional Resources Technology Conference (URTeC)	07/20/17	07/27/17	2,500	2,500	1,028
2017 KW MegaRelief	09/08/17	09/15/17	2,000	4,000	1,445
Healthcare Facilities Symposium & Expo - 2017	09/17/17	09/20/17	2,500	1,539	1,379
2017 Channel Partners Evolution	09/24/17	09/28/17	600	2,994	1,701
<b>Convention w/o Exhibits (CNVWO) - Count: 1</b>			<b>900</b>	<b>900</b>	<b>743</b>
2017 Title III Symposium	07/24/17	07/26/17	900	900	743
<b>Exam/Training (EXMTR) - Count: 1</b>			<b>50</b>	<b>40</b>	<b>0</b>
Austin Auto Show Training	03/24/17	03/24/17	50	40	0
<b>Film/Photo (FLMPH) - Count: 2</b>			<b>30</b>	<b>60</b>	<b>0</b>
Red Velvet Events	07/06/17	07/06/17	10	10	
Fiona Media Company Filming	08/02/17	08/02/17	20	50	
<b>Food &amp; Beverage (FB) - Count: 4</b>			<b>3,375</b>	<b>2,576</b>	<b>0</b>
Dell Children's Gala 2017	01/25/17	01/29/17	1,100	920	0
2017 TTIA TX Tourism Unity Dinner	02/14/17	02/16/17	900	876	0
2017 Friends of Boy Scouting Luncheon	03/01/17	03/01/17	375	480	0
2017 TCSLEA Fundraiser	09/16/17	09/16/17	1,000	300	0

<b>Meeting/Workshop/Seminar (MWSSM) - Count: 11</b>				<b>9,065</b>	<b>7,718</b>	<b>109</b>
	2017 Ambit Energy Simulcast	01/13/17	01/15/17	3,000	1,800	0
	CMTA Downtown Station Stakeholder Workshop	01/18/17	01/18/17	35	35	0
	SXSW Volunteer Call	01/22/17	01/22/17	2,000	2,000	0
	Compass Community Council Meeting	01/23/17	01/24/17	400	606	109
	SXSW Volunteer Call	02/11/17	02/11/17	2,000	2,000	0
	Texas ACS 2017 Meeting	02/23/17	02/25/17	300	400	0
	One Day University with the Austin American Stateman	04/01/17	04/02/17	325	300	0
	eHealthcare Solutions, LLC	05/04/17	05/05/17	5	5	0
	2017 MDE Latino Seminar	05/13/17	05/13/17	300	146	0
	2017 MDE Latino Seminar	06/10/17	06/10/17	300	126	0
	One Day University with the Austin American Stateman	09/22/17	09/23/17	400	300	0
<b>Other (OTHER) - Count: 1</b>				<b>2,500</b>	<b>2,000</b>	<b>0</b>
	American Red Cross of Central Texas	09/01/17	09/15/17	2,500	2,000	
<b>Social (SOC) - Count: 3</b>				<b>1,560</b>	<b>1,440</b>	<b>0</b>
	2017 Westlake High School Prom	05/12/17	05/14/17	700	600	0
	2017 Art Bra Austin	06/02/17	06/04/17	800	800	0
	Freeman AV 2017 Employee Recognition	08/24/17	08/24/17	60	40	
<b>Sporting Event (SPORT) - Count: 3</b>				<b>20,700</b>	<b>10,000</b>	<b>294</b>
	2017 Tour of Texas Warm Up	12/29/16	01/01/17	2,700	2,000	294
	CHEERSPORT Austin Grand Championship	03/31/17	04/02/17	3,000	3,000	0
	2017 Naturally Fit Games	06/02/17	06/03/17	15,000	5,000	0
<b>Trade Show (TRADE) - Count: 3</b>				<b>3,200</b>	<b>4,081</b>	<b>3,176</b>
	2017 Southwest Showcase	01/24/17	01/26/17	500	720	144
	SHI Corp. Kickoff 2017 Vendor Show	02/01/17	02/03/17	1,200	1,702	1,800
	2017 The Viva Fresh Produce Expo	04/21/17	04/22/17	1,500	1,659	1,232

## FY 17-18 ACC Definite Events

Description (Post as)	In Date	Out Date	Forecasted Attendance	Estimated Final Attendance	Actual Total Room Nights
<b>Grand Total - Count: 102</b>			<b>536,367</b>	<b>555,013</b>	<b>203,073</b>
<b>COA (COA) - Count: 6</b>			<b>1,370</b>	<b>1,166</b>	<b>0</b>
2017 National Coming Out Day Celebration	10/11/17	10/11/17	250	250	0
City Manager Candidate Town Hall Meeting	12/12/17	12/12/17	200	60	0
2017 Employee Awards & Recognition Holiday Event	12/15/17	12/15/17	240	270	0
Master Class for Veterans and the Military Community	04/14/18	04/14/18	150	100	0
Brush Square Master Plan Planning Partners Meeting #1	05/16/18	05/16/18	30	32	0
2018 EPA Region 6 CMOM Workshop	08/20/18	08/21/18	500	454	0
<b>Concert/Performance (CNCRT) - Count: 1</b>			<b>4,000</b>	<b>2,000</b>	<b>0</b>
Presence 2018	06/19/18	06/24/18	4,000	2,000	
<b>Conference (CONF) - Count: 13</b>			<b>23,100</b>	<b>20,593</b>	<b>3,799</b>
Quanta: Utility Perspective 2017	10/07/17	10/10/17	200	191	459
2017 The Texas Conference for Women	10/31/17	11/02/17	7,000	7,500	0
2017 Texas Assessment November Conference	11/04/17	11/08/17	1,600	2,175	1,955
2017 InnoTech Austin	11/15/17	11/16/17	1,500	1,215	0
2018 TRS/ERS Conference	02/01/18	02/02/18	1,500	1,150	520
2018 Fair Housing Summit	04/01/18	04/05/18	1,500	500	108
2018 Central TX Infrastructure Design & Construction Symposium	05/01/18	05/02/18	600	421	0
Chase for Business Conference 2018	05/09/18	05/10/18	700	740	0
Digital Banking 2018	06/04/18	06/08/18	900	825	757
The Real Estate Wealth Expo	06/06/18	06/11/18	5,000	3,500	0
31st Annual Conference on Education Law for Principals	06/11/18	06/12/18	1,900	1,859	0
WoodWorks Wood Solution Fair	08/27/18	08/28/18	300	267	0
Game Leadership Summit	09/12/18	09/14/18	400	250	0
<b>Consumer Show (CONSH) - Count: 12</b>			<b>102,200</b>	<b>96,836</b>	<b>282</b>
2017 Wizard World Austin Comic Con	11/15/17	11/19/17	10,000	10,000	282
2017 Art From the Streets	12/01/17	12/04/17	1,700	1,800	0
2017 Jurassic Quest	12/14/17	12/18/17	10,000	14,851	0
2018 Austin Boat Show	01/16/18	01/22/18	15,000	7,000	0
2018 3M Half Marathon Expo	01/18/18	01/20/18	10,000	10,000	0

2018 TRVA Austin RV Expo	02/13/18	02/18/18	10,000	9,458	0
2018 Austin Auto Show	04/16/18	04/23/18	10,000	10,000	0
2018 UIL Robotics State Championship - FIRST Division	05/17/18	05/19/18	500	750	0
Life Sciences Women's Conference 2018	08/07/18	08/09/18	1,000	350	0
2018 Austin Fall Home & Garden Show	08/22/18	08/27/18	20,000	20,000	0
Minefaire	09/13/18	09/16/18	10,000	8,215	0
2018 Wizard World Austin Comic Con	09/20/18	09/23/18	4,000	4,412	0
<b>Convention (CONV) - Count: 33</b>			<b>365,730</b>	<b>398,510</b>	<b>236,677</b>
KeHE 2017 Natural Show	10/01/17	10/06/17	1,500	2,000	1,972
SpiceWorld Austin 2017	10/06/17	10/11/17	3,000	2,670	2,637
2017 AALAS National Meeting	10/13/17	10/19/17	4,800	4,136	8,174
2017 SWE Annual Conference	10/23/17	10/28/17	13,700	14,500	7,972
Texas Society of Architect's 78th Annual Convention & Design Expo	11/06/17	11/12/17	3,500	3,074	1,144
2017 STAFDA Annual Convention and Tradeshow	11/09/17	11/15/17	4,300	4,470	4,900
2017 The Running Event	11/25/17	12/02/17	1,700	2,629	2,296
Xerocon Austin 2017	12/04/17	12/06/17	80	80	671
2018 American Meteorological Society	01/04/18	01/12/18	3,700	4,198	7,996
2018 TASA Midwinter Conference	01/26/18	01/31/18	6,500	6,700	5,043
2018 TCEA Annual Convention	02/02/18	02/10/18	15,000	10,547	10,394
AAAS Annual Meeting	02/13/18	02/19/18	6,000	6,836	5,298
NDA 2018 Annual Convention & Expo	02/19/18	02/25/18	1,200	1,055	1,457
NTCA	02/22/18	03/01/18	2,500	2,268	5,902
2018 SXSW Conference and Festivals	03/02/18	03/19/18	150,000	200,310	53,681
2018 Distributors Conference	03/21/18	03/30/18	3,800	2,975	5,451
Work Human 2018	03/31/18	04/06/18	3,000	2,850	4,674
2018 Annual Spring Clinical Meeting	04/07/18	04/14/18	2,500	2,900	4,258
2018 Annual Clinical & Scientific Meeting	04/24/18	05/01/18	6,000	6,800	8,414
IMMUNOLOGY 2018	05/02/18	05/08/18	3,000	3,652	14,462
2018 TCEQ Environmental Trade Fair & Conference	05/11/18	05/16/18	6,000	4,900	2,353
2018 NI WEEK	05/16/18	05/25/18	6,000	4,754	5,487
DreamHack Austin 2018	05/26/18	06/04/18	27,000	36,000	1,079
SPIE Astronomical Telescopes and Instrumentation 2018	06/08/18	06/15/18	2,300	2,227	2,982
2018 TASSP Summer Workshop	06/11/18	06/15/18	2,850	2,253	3,302
2018 National Charter Schools Conference	06/15/18	06/20/18	4,800	4,502	4,281
2018 NASFAA National Conference	06/22/18	06/27/18	2,000	2,135	6,064

2018 General Convention of the Episcopal Church	06/27/18	07/15/18	10,000	7,500	21,716
ILA 2018 Conference & Exhibits	07/17/18	07/24/18	8,000	5,039	7,737
RTX Austin 2018	07/31/18	08/06/18	36,000	21,666	4,282
2018 KW Mega Camp	08/10/18	08/17/18	7,000	9,200	11,505
2018 World's Fair Hair Show	09/05/18	09/11/18	12,000	7,554	1,203
2018 TASA/TASB Convention	09/21/18	09/30/18	6,000	6,130	7,890
<b>Convention w/o Exhibits (CNVWO) - Count: 4</b>			<b>5,150</b>	<b>5,260</b>	<b>9,558</b>
Stryker National Sales Meeting 2018	01/14/18	01/21/18	1,250	1,360	3,216
2018 Old Navy FLC	04/15/18	04/21/18	1,400	1,400	3,272
2018 Title III Symposium	07/24/18	07/26/18	900	900	700
American Bar Association - Business Law Section - 2018 Section Annual Meeting	09/11/18	09/15/18	1,600	1,600	2,370
<b>Exam/Training (EXMTR) - Count: 3</b>			<b>1,100</b>	<b>1,031</b>	<b>506</b>
Compass Group Training and Development Leadership Accelerator Conference	11/13/17	11/16/17	50	45	103
2018 NCEES Exam	04/12/18	04/14/18	550	486	0
TRX Training Summit	05/02/18	05/07/18	500	500	403
<b>Food &amp; Beverage (FB) - Count: 4</b>			<b>2,775</b>	<b>2,354</b>	<b>640</b>
Friends of Boy Scouting 2018 Luncheon	02/27/18	02/27/18	375	480	0
2018 TTIA Unity Dinner	03/20/18	03/22/18	900	824	0
digitalNow 2018	05/06/18	05/08/18	300	300	640
Capital City A&M Club Coach's Night	06/10/18	06/10/18	1,200	750	0
<b>Meeting/Workshop/Seminar (MWSSM) - Count: 16</b>			<b>10,930</b>	<b>10,288</b>	<b>1,796</b>
Context Summits Texas 2017	11/12/17	11/14/17	500	300	432
2017 MDE Latino Seminar	12/02/17	12/02/17	300	97	0
Cloud NativeCon North America 2017	12/03/17	12/08/17	4,000	4,200	990
VMware Meeting Room	12/07/17	12/08/17	15	15	0
Twistlock Private Meeting Space	12/07/17	12/07/17	15	15	0
NetApp Partner and Customer Space @ KubeCon	12/07/17	12/08/17	10	10	0
Tigera Meetings	12/07/17	12/08/17	10	10	0
2018 SXSW Volunteer Call	01/21/18	01/21/18	2,000	2,000	0
2018 SXSW Volunteer Call	01/27/18	01/27/18	1,800	2,000	0
Capital Metro Downtown Station Open House	02/21/18	02/21/18	65	50	0
2018 MDE Latino Seminar	04/14/18	04/14/18	300	126	0
2018 Big Communications Event	05/12/18	05/17/18	1,500	1,250	374
2018 MDE Latino Seminar	06/09/18	06/09/18	300	85	0
Capital Metropolitan Transportation Authority Contractor Pre-Proposal Meeting	09/11/18	09/11/18	40	35	0

Accor Global Sales Meeting	09/12/18	09/13/18	15	15	0
Capital Metro - City of Austin Joint Board and Council Work Session	09/14/18	09/14/18	60	80	0
<b>Music/Film (MF) - Count: 2</b>			<b>602</b>	<b>1,121</b>	<b>0</b>
Capital City Black Film Festival 2018	08/30/18	09/02/18	600	1,119	0
Sisterwolf Studio - Jon Hart Design Photo Shoot	09/12/18	09/12/18	2	2	
<b>Photo/Location Release (PHLR) - Count: 1</b>			<b>10</b>	<b>0</b>	<b>0</b>
Lee Jeans Photo Shoot	02/03/18	02/03/18	10	0	0
<b>Social (SOC) - Count: 2</b>			<b>1,800</b>	<b>1,280</b>	<b>0</b>
2018 Dell Children's Gala	01/24/18	01/27/18	1,100	980	0
2018 Westlake High School Prom	05/19/18	05/20/18	700	300	
<b>Sporting Event (SPORT) - Count: 4</b>			<b>16,100</b>	<b>12,974</b>	<b>415</b>
2017 Formula 1, United States Grand Prix Shuttle	10/19/17	10/22/17	5,000	5,000	0
2017 Texas Roller Derby	11/04/17	11/04/17	1,100	1,000	0
2017 Tour of Texas Warm Up	12/27/17	12/30/17	5,000	4,774	415
CHEERSPORT Austin Grand Championship	04/15/18	04/15/18	5,000	2,200	
<b>Trade Show (TRADE) - Count: 1</b>			<b>1,500</b>	<b>1,600</b>	<b>0</b>
2018 Build Expo	01/23/18	01/25/18	1,500	1,600	0



### Council Question and Answer

Related To	Item #59	Meeting Date	May 23, 2019
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### Additional Answer Information

Approve an ordinance amending City Code Chapters 12-1 (Traffic Regulation and Administration) and 12-2 (Bicycles) relating to the operation of micro-mobility devices and bicycles on sidewalks and roadways.

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

*1) How are "reasonable" and "prudent" defined for rider behavior? Are these definitions subjective or open to the interpretation of whoever is enforcing or defending rider behavior?*

Reasonable and prudent are terms that are applied to law in general, which ultimately relies on an outcome. In this ordinance, reasonable and prudent would typically only be applied if riding results in a loss of control. The loss of control, crash, or similar is evidence of not driving in a responsible and prudent manner.

*2) Are there separate fines for riders who cause bodily harm to others or damage property?*

Riders who cause harm to another person or to property are responsible for their actions. Individuals injured, or harm must hold the individual responsible accountable in a court of law. Riders are fined based on a specific violation of a law or ordinance. Bodily damage to a person or property could have wide, varying ranges in value, which cannot be adequately captured in the text of an ordinance. All riders or drivers who cause harm to others are not always held criminally liable but may be held civilly liable. As is the case with many motor vehicle accidents, those who have incurred damages they wish to be compensated for, must file a lawsuit against the person(s) who caused those damages.