



March 25, 2021

Questions and Answers Report



Mayor Steve Adler

Mayor Pro Tem Natasha Harper-Madison, District 1

Council Member Vanessa Fuentes, District 2

Council Member Sabino "Pio" Renteria, District 3

Council Member Gregorio Casar, District 4

Council Member Ann Kitchen, District 5

Council Member Mackenzie Kelly, District 6

Council Member Leslie Pool, District 7

Council Member Paige Ellis, District 8

Council Member Kathie Tovo, District 9

Council Member Alison Alter, District 10

The City Council Questions and Answers Report was derived from a need to provide City Council Members an opportunity to solicit clarifying information from City Departments as it relates to requests for council action. After a City Council Regular Meeting agenda has been published, Council Members will have the opportunity to ask questions of departments via the City Manager's Agenda Office. This process continues until 5:00 p.m. the Tuesday before the Council meeting. The final report is distributed at noon to City Council the Wednesday before the council meeting.

QUESTIONS FROM COUNCIL

Item #4: Authorize negotiation and execution of a professional services agreement with the following five staff recommended firms (or other qualified responders) for Request for Qualifications Solicitation No. CLMP309A: Intera, Inc., Weston Solutions, Inc., Aptim Corp. dba Aptim Environmental and Infrastructure, LLC, Freese and Nichols, Inc., Kleinfelder, Inc., for engineering services for the 2021 Brownfields Environmental Services Rotation List Reissue in an amount not to exceed \$4,200,000.

COUNCIL MEMBER ALTER'S OFFICE

Which properties will be addressed for environmental concerns?

For the 2021 Brownfields Environmental Services Rotation List, Austin Resource Recovery has articulated a need for these services based on previous iterations of the Brownfields Environmental Services Rotation List but has not yet identified assignments, specific projects, and locations. Therefore, at this time no project locations are known. However, Council approval of this RCA will allow staff to quickly proceed with work once a specific project/location is identified.

Item #7: Authorize negotiation and execution of an amendment to the design build agreement with JE Dunn Construction Inc., for preconstruction services, schematic design services, and construction services for the New Fire and EMS Stations in an amount of \$2,300,000, for a total contract amount not to exceed \$29,800,000.

COUNCIL MEMBER ALTER'S OFFICE

Please provide additional details on the funding plan for the APD portion of the station project.

The Austin Police Department received funding in the amount of \$5.8 million in the 2012 Bond Proposition 16 for the first phase of the APD Northwest Substation which includes the land purchase and design services. City Council authorized the land purchase in August 2018, and the purchase was finalized in December 2018. Funding for the design service is from the APD portion of the 2006 and 2012 Public Improvement Bond balance. Funding for the second phase of this project, which is the construction phase, will be identified as funding sources become available.

Item #10: Authorize negotiation and execution of an amendment to the professional services agreement with the following eleven firms for Request for Qualifications Solicitation No. CLMP240: Kimley-Horn and Associates, Inc.; Halff Associates, Inc.; Freese and Nichols, Inc.; AECOM Technical Services, Inc.; CDM Smith, Inc.; CP&Y, Inc.; Binkley & Barfield, Inc.; Lockwood, Andrews & Newman, Inc.; Alliance-Texas Engineering Company, dba Alliance Transportation Group, Inc.(WBE); Brown & Gay

Engineers, Inc.; and Dannenbaum Engineering Company - Austin LLC for engineering services for the 2018 Corridor Program Engineering Services Rotation List, in the amount of \$20,000,000.00, for a total contract amount not to exceed \$95,000,000 divided among the firms.

COUNCIL MEMBER ELLIS' OFFICE

Does this item include the planned Pedestrian Hybrid Beacon at the intersection of Slaughter Lane and Vinemont Dr?

The Pedestrian Hybrid Beacon (PHB) at the intersection of Slaughter Lane and Vinemont Dr is already funded and is scheduled to be constructed this year. This Rotation List authorization will allow for additional design of mobility improvements, like PHBs and much more, across the Corridor Construction Program.

Item #12: Authorize negotiation and execution of an amendment to the professional services agreement with Toole Design Group, L.L.C., for engineering services for the Urban Trails Plan and Sidewalks/ADA Transition Plan Updates project in the amount of \$250,000.00 for a total contract amount not to exceed \$1,650,000.

COUNCIL MEMBER FUENTES' OFFICE

What is laid out in the equity analysis framework and how is it applied to the ASMP?

The equity analysis framework component of this planning effort will establish a means by which bikeways, urban trails, sidewalk and pedestrian crossings are understood through an equity lens. This specific Recommendation for Council Action follows the previous authorization's scope of work and enables the Bicycle Plan to be included in the process.

The equity analysis framework will be informed first by an equity scan which consists of a review of Austin's existing equity work relative to these modal plans and discussions with key stakeholders. From there, an equity framework will be developed that 1) defines principles, goals and key questions for equitable planning, 2) develops a flow chart for equity-centered project processes that includes steps for evaluating (and resolving) the equity impacts of recommendations, and guides project prioritization; 3) establishes performance targets for inclusive outreach, and finally 4) recommends steps for ongoing equity engagement throughout implementation. The equity analysis framework will be used to operationalize key equity action items called out in the ASMP Equity Chapter. For example, ASMP Action 234 "Community Ambassadors" will be implemented by building from the planning team's work, to hire, train, and work with a variety of people who will serve as community ambassadors by bringing local knowledge into key elements of the equity framework. The Ambassador Program will exist beyond the life of the planning effort to extend the reach of the City and better understand, engage with, and respond the community mobility needs on an ongoing basis.

Item #29: Ratify a contract with PeopleFund to administer the Austin Legacy Business Relief Grant program to disburse funds and provide technical assistance to legacy businesses in Austin in need of relief as a result of COVID-19 pandemic in an amount not to exceed \$5,500,000, with an option to amend and extend the term if additional grant funds become available.

COUNCIL MEMBER FUENTES' OFFICE

Please provide additional details further explaining the proposed ratification to the existing contract.

- In order to ensure funds for this program are awarded as quickly as possible, staff executed a contract with PeopleFund and began program operations. This item asks Council to ratify that executed contract. As a result of this expedited timeline, the Legacy Business Relief Grant program has already opened and received its initial Phase 1 program applications. This will result in awards being made to applicants beginning in April. If staff had waited for Council to authorize the execution of the PeopleFund contract, this timeline would have been delayed by multiple months.
- More details regarding the scope of activities for this contract is provided in the attached scope of work.

Item #31: Ratify a contract with Joyce James Consulting to provide equity training and strategic equity plan reviews for Austin live music venues that received funds from the Austin Live Music Venue Preservation Fund for a total amount not to exceed \$79,000.

COUNCIL MEMBER FUENTES' OFFICE

1) Please provide additional information regarding the total number of Phase 1 applications that have been received, along with which of those have been funded.

- 110 venues applied and were evaluated for Phase 1 funding.
- 74 venues were each awarded \$20K grant award in December 2020, totaling \$1.48M. Eligibility for Phase 1 funding is outlined in Section 3.0 of the LMVPF guidelines and include the following:
 - Operate as a Live Music Venue (see Section 3.1 Live Music Venue Definition)
 - Have a physical address in a City of Austin City Council District
 - Be current on all local and state license requirements
 - Have no delinquent local, county, state, or federal tax obligations
 - Have incurred or plan to incur COVID-19 mitigation and protective equipment expenses
 - Meet or exceed the City of Austin's recommended COVID-19 safety guidelines, which can be found online at www.austintexas.gov/covid19
- 49 venues awarded Phase 1 funding completed an application for Phase 2 enhanced funding from the remaining \$3.52M grant budget.

2) In terms of community outreach for the opportunities and requirements related to participation in the equity training and strategic equity plan reviews, how will Phase 1 applicants be notified? Does this ratification consider applicants currently residing or doing business in the ETJ?

- Only venues awarded Phase 1 funding were eligible to sign up for the Equity Strategic Plan Training Series. Outreach to eligible applicants was conducted by the LMVPF 3rd Party Administrator, the Long Center, as well as the Economic Development Department. Since participation in Equity Strategic Plan Training is mandatory for potential Phase 2 funding, extra due diligence was necessary from the Long Center to ensure all Phase 2 applicants signed up for all three sections of training.

- 46 venues participated in the first section of the Equity Strategic Plan Training Series and are therefore eligible for Phase 2 scoring for potential enhanced funding. Applicants who score high enough for Phase 2 funding must participate in all 3 sections of Equity Strategic Plan Training series scheduled through May 2021 to continue receiving monthly award payments.
- The ratification of the contract approves the increased contract amount to cover additional training sessions needed to accommodate the additional venues.

Item #37: Approve a resolution relating to a reimagined cadet training academy for the Austin Police Department.

COUNCIL MEMBER ALTER'S OFFICE

1) Please provide details on the funding sources that would be used to fund the APD cadet academy. Please include which funding sources are proposed for usage and how much money would come from each source. Please include a breakdown of how the funds would be spent (cadet salaries, academy educator salaries, recruiting costs, cost for implementation of consultant recommendations/new courses, etc.).

To fund the proposed APD cadet academy in FY21, based upon a start date of June 7th, an approximate \$2.2 million budget amendment to the Austin Police Department budget would be needed to appropriately fund the class. This funding would be drawn from a budgeted Austin Police Retirement System funding increase that ended up not moving forward in FY21. The breakdown of how the funds would be spent is as follows:

- **Cadet salaries:** Approximately \$1.6 million
- **Academy educator salaries:** Approximately \$600,000 in overtime directly related to running the class
- **Recruiting:** No recruiting costs necessary as this class was already recruited
- **Implementation of recommendations/new courses:** In FY20 and FY21, APD has absorbed the costs related to implementation of recommendations at the Academy, including, but not limited to: payments to a facilitator to lead the community review of all training videos; reclassification of an internal civilian position to hire Dr. Villanueva (Organizational Development & Training Manager) and her replacement Dr. Anne Kringen (Division Manager) to begin transition to a blended, civilian and police-led academy; reclassification of an internal civilian position to the Diversity, Equity & Inclusion Manager to ensure DEI is incorporated into all courses; reclassification of a vacant civilian position to a Training supervisor; procuring a Learning Management System with funds reallocated from an expiring contract.

2) Does this item approve the initiation of the 144th cadet class? What if the blueprint steps/standards aren't met and/or the short term recommendations from Krill are not implemented before the next class is scheduled to start? Who makes the decision whether steps/standards have been met?

Approval of Item #37 creates the pathway to a reimagined police cadet academy, including steps leading to an academy's commencement provided that activities highlighted within the blueprint are met. Staff is committed to keeping Council apprised of progress as we move

forward to June 7th. Council's approval of Item #37 authorizes the class if conditions within the blueprint are met. Staff plans to bring forward a budget amendment for approval in April. The Office of Police Oversight will provide a status update from the Kroll Report's recommendations and an assessment on the timeline for completion of implementing recommendations. Additionally, two APD staff, including newly hired Training Division Manager, Dr. Anne Kringen, and a Training Supervisor, will facilitate the Kroll Report's recommendations. Lastly, the City is expanding the scope of the existing contract with Joyce James Consulting, who has been working with the APD, to help weave equity more broadly on our reimagining public safety efforts. There are items within this contract that will help the City monitor the recommendations outlined in the blueprint.

3) The long term recommendations outlined in the Kroll report and building on many related reviews are some of the most transformative pieces of the academy revamp. Following the community review and the independent evaluator's review of the 144th class, what are the accountability levers to ensure that changes continue to happen at the academy for future classes? How are we making sure that the post-class reviews for the 144th class and future classes result in real changes at the academy?

APD plans to make community involvement a priority in the curriculum review process an ongoing requirement for the academy moving forward. This will support continuous change within the academy beyond the 144th class. In the short term (preparing for the 144th class), the department will formally establish policies for the Academy Curriculum Review (ACR) committee and begin the process of reviewing the curriculum. In addition, the community video review panel (CVRP) will continue its review process by reviewing any videos under consideration for use in the 144th academy class. Only videos that have been reviewed and approved by the CVRP or have been reviewed by the new CVRP process will be shown during the 144th academy class.

In the long term, APD plans to incorporate community video review as part of the ACR. This process will provide a mechanism where all videos used at the academy moving forward will be evaluated holistically considering content in the context of curriculum. Further, APD will explore putting presentations and lesson plans into a public domain for community comment to inform ongoing efforts to revise APD's training processes and to provide the community the opportunity to see what is taught at the academy.

APD is committed to building out systems that will allow us to measure changes. Currently, many important measures, such as officer performance evaluations, are not accessible in a format that is conducive to analysis. In the short term, APD will begin reporting attrition rates, injuries, and Basic Police Officer Course passing rates disaggregated by demographics; however, APD recognizes that the more substantial measures of faculty performance, fidelity to established academy goals, and policy compliance are also important. APD will begin a process of improving collection of these data to provide a better understanding of the implementation and impact of all changes.

Finally, the City Manager's Office will evaluate reports and recommendations from Kroll Associates and James Joyce Consulting as well as APD progress reports in order ensure progress is being made and to determine how best to address any gaps.

4) What new information are we expecting in the final Kroll report? What information is Kroll waiting to receive from APD to finalize the report and what is the timeline for the report to come to Council?

Kroll is conducting further analysis on the training academy curriculum, including the Texas Commission of Law Enforcement (TCOLE) required courses, de-escalation training, community engagement and community policing curriculum, the review of the potential disparate outcomes of women and cadets of color, and City Council's feedback from the work session. Kroll will also identify police academies and evidence best practices in training curriculum that have resulted in a reduction in use of force incidents. Their final report will be completed and released on April 16, 2021.

City staff will be sending a memo this week to update Council on Kroll's assessment and progress on Resolution 66.

5) Please speak to how the blueprint addresses the underlying paramilitary culture, which was raised as an issue across multiple reports (Peace Mill Report, Villanueva Report, Ferguson Report, Kroll Report, etc.). Please specify which pieces of the blueprint address the paramilitary culture and what steps are to be taken to change it before the start of the next cadet class.

In the blueprint, the points under *Evaluate Implementation of Academy Methodologies* clarify that the academy is a place to learn and not defined by paramilitary goals. The first action item of setting the standards and expectations will be implemented by changing the instructor standard operating procedures to ensure that references to behavioral modifications are removed and that the language reflects an environment where learning and physical fitness are separate. The instructors will be evaluated on their teaching, and the teaching evaluations will be designed to align with their annual performance evaluations. To further address the necessary cultural change, academy personnel will be referred to as faculty moving forward rather than instructors, and faculty will be directly supported by civilian personnel specializing in teaching under an adult learning model. The adult learning model will incorporate cadets' experiences, their willingness to learn and engage them in problem-solving in the classroom. The cadets will also hear more from the community prior to and throughout the academy (Community Engagement Hours). Lastly, more classes will be co-facilitated with community subject matter experts who will provide a different lens and exposure of different perspectives to the cadets.

6) I would like to better understand the process and timeline for replacing outdated curriculum. What level of curriculum review and revision is expected to take place by the new Training Division Manager and the Academy Curriculum Review (ACR) committee before a June class starts?

The new Training Division Manager, Dr. Anne Kringen, has outlined a plan to ensure that all curriculum at the academy is reviewed; however, each review process has a different timeline based on the required effort and available resources.

Dr. Kringen will complete the first level of review prior to the commencement of the 144th class. This initial review will ensure that all defined learning objectives are covered; that teaching materials incorporate adult learning techniques; and that all content and proposed delivery is inclusive and that community perspectives are incorporated through readings, assignments, podcasts.

This review will be completed prior to the start of the 144th class, and the review materials will be sent to Kroll for analysis and reporting. Key elements such as reordering the curriculum to move Spanish, cultural diversity, and oral communication earlier in the schedule have already been submitted to the Texas Commission of Law Enforcement (TCOLE) for approval. Pending

this approval, these changes provide the baseline to allow integration of these topics throughout the entire academy curriculum (i.e., learned skills will begin teaching cadets to interact using both Spanish and English).

The second level is a longer-term review process that will include ongoing community involvement. Specifically, this review process incorporates the ACR by establishing the committee and beginning the committee's initial review of curriculum in April. Given that this is a developmental process, it is not feasible to have the ACR review all curriculum prior to the 144th class. As well, given that the ACR process is envisioned as an ongoing effort extending beyond the 144th class, review of curriculum will continue after the 144th class begins. To ensure that the review is adequate before the class starting, the ACR will start with one class in each area of instruction to review. Thereafter, the ACR will continue to work through the entire curriculum recommending changes on an ongoing basis which will be implemented throughout the academy rather than clustering revisions within a single unit or single area of curriculum.

Item #51: Authorize negotiation and execution of an agreement with Equidad ATX to provide access to affordable groceries, health and wellness, and financial literacy resources to underserved communities for a 12-month term through March 31, 2022 in an amount not to exceed \$400,000, with one 12-month extension option in an amount not to exceed \$250,000, for a total contract amount not to exceed \$650,000.

COUNCIL MEMBER FUENTES' OFFICE

Have the participating neighborhoods been identified? If not, what process will be used to identify those services areas? How soon will this program be operable and what are the proposed operating hours?

The program will concentrate on the Eastern Crescent and especially in Northeast and Southeast Austin. At this time, Creedmoor and high schools in Overton and Del Valle have been identified as locations. Additional locations, services and hours will be based on community feedback and ensuring there is adequate space for access, visibility and community accessibility.

Between April 1, 2021 and November 30, 2021, Equidad will convene collaborating partners on a regular basis to develop the service map and schedule. The initial bus retrofit is estimated to take from April 1, 2021 to July 30, 2021, and small-scale food access services will begin once the retrofit is complete. By June 30, 2021, Equidad and Central Texas Food Bank will collaborate to develop a plan that will describe these initial services. Expansion to include all collaborating partners and encompass the full range of proposed services (food access, financial literacy, general health and wellness) are estimated to begin in January of 2022.

The goal at this time is to provide twice monthly events in a given community for a minimum of three hours at a time. Timing may depend on season, the needs of the community, and ongoing feedback from stakeholders.

Item #98: C14-2020-0121 - Holland Stone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1105 Matthews Lane (South Boggy Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to urban family residence (SF-5) district zoning. Staff Recommendation and Zoning and Platting

Commission Recommendation: To grant urban family residence (SF-5) district zoning. Owner/Applicant: Bart Van Cromvoirt. Agent: Sandlin Services, LLC, (Nick Sandlin, P.E.). City Staff: Mark Graham, 512-974-3574.

COUNCIL MEMBER ALTER'S OFFICE

The subject property is bifurcated by a classified waterway (LDC 25-8-91) and has a corresponding Critical Water Quality Zone (LDC 25-8-92) that is a buffer established to promote healthy soils and vegetation along the creek corridor and allow the stream adequate space to migrate over time. Stream buffers help control flood impacts, reduce channel erosion and property loss, help maintain good water quality, reduce operation and maintenance costs, and provide multiple community benefits.

- *Can staff provide any additional detail or an estimate on the amount of acreage on this property within the creek buffer?*
 - There is approximately 52,153 square feet (1.19 acres) within the Critical Water Quality Zone (aka: creek buffer). The total area of the site is 108,308 square feet (2.49 acres). The area of the creek buffer consumes approximately 48% of the total area of the site.
- *Can staff provide additional detail on what it means for "a minimum 64 acres of drainage to a point on the property" and how that impacts potential development?*
 - Classified waterways are defined in LDC 25-8-91 as a waterway has a drainage area of at least 64 acres. There are three classifications based on the drainage area to the waterway (minor, intermediate, major).
- *What, if any, estimates do we have on the constraints these code sections will place on development of the site?*
 - Development within a Critical Water Quality Zone is restricted to that allowed by LDC 25-8-261. In the image below, the subject property is outlined by the bright blue polygon and the Critical Water Quality Zone is defined by the purple diagonally-hatched polygon. The two red-shaded polygons are the more developable areas of the site. As one can see, there is developable area on either side of the Critical Water Quality Zone, however the portion of the site in the lower part of the image cannot be accessed from anywhere on the site or off the site without a private drive. According to LDC 25-8-261, a private drive may not cross the Critical Water Quality Zone because that is not development allowed in a Critical Water Quality Zone.



Item #111: Approve a 'Resilient ATX' resolution directing the City Manager to take actions regarding the development of a spending framework for Covid-19 relief and recovery and American Rescue Plan funding, and directing the City Manager to provide an update on the City's Fiscal Year 2021 budget and projections for Fiscal Year 2022 revenues.

COUNCIL MEMBER ALTER'S OFFICE

- 1) *What are our plans to provide summer programming for youth using our city facilities such as programs run by PARD or programs funded by APH social service contracts run by outside contractors?*

APH staff have reached out to funded providers that offer youth programming during the academic year and the summer. Out of the 14 programs funded, all but two have confirmed either virtual or in-person opportunities for youth will be provided.

Two agencies are still planning delivery methods for summer activities and will update the department once plans are finalized.

PARD's goal is to resume the person summer camp opportunity in a manner that is consistent with CDC guidelines and local health authority recommendations. PARD will also offer a smaller selection of virtual camp options.

PARD is working with Austin Public Health to finalize a modified operational plan for in-person Summer Camps for 2021. At this time in person modified operations (as recommended by

public health authorities and the CDC) will require reduced classroom capacity. During typical summer camp operations, PARD has the capacity to expand offerings, but currently, it is not possible to expand in person offerings and comply with the modified operations recommendations. The capacity for After-school Programs is yet to be determined.

As a youth development best practice, PARD does not typically hire youth under the age of 18 to supervise other youth in either Summer Camp or Afterschool. Instead, PARD typically conducts a Teen program that helps to build leadership skills for future employment opportunities. Youth employees under the age of 18 are not able to be counted in staff to child ratios as outlined in Local Standards of Care. In consideration of maximizing summer camp services to school aged children, hiring youth as counselors will further decrease capacity.

The City of Austin does hire youth under the age of 18 via the youth employment program. PARD collaborates with the youth employment program to place youth employees into PARD positions in which they can gain experience in the workforce and be successful. Given the opportunity this summer, PARD will collaborate as it has in the past to place youth in appropriate positions.

- 2) *How does this spending framework anticipate providing opportunities for youth programming during our summer months or other out-of-school-time programming in the next academic year?*

While the framework does not specifically address youth programming, there are opportunities for work-aged youth to participate in workforce training opportunities included in the spending plan (such as ACCC).

- 3) *What are our immediate plans to re-open libraries or otherwise expand digital access for Austinites who may not own personal computers or have internet in their homes? How does this spending framework anticipate investments and expenditures that expand digital access in the short and long-term?*

APL is looking to open our libraries for computer use in the April/May timeframe with the guidance of the health authorities. In the interim, we are providing laptops and hotspots to the community. If additional funding becomes available, we will expand our laptops and hotspots lending efforts. The spending plan recommends financial support towards closing the digital divide via investments in internet access; subscriptions; tablets; digital literacy training; and virtual tech support.

- 4) *Please provide a breakdown of funds used for first responders/public safety by department (APD, AFD, EMS). Please specify how much is allocated for each department's regular salaries and how much is for overtime costs.*

There are no funds being allocated for APD, AFD, or EMS

- 5) *Can staff provide additional detail on why various buckets are being spent out over two years?*

The Treasury Department will allocate local government allocations in two tranches: half within 60 days of enactment and the remaining half next year. While funds are available until December 31, 2024, staff felt that given the significant and pressing need in the community, it would be best to spend the money as quickly as possible.

- 6) *Please provide additional detail on the rationale for spending reserve funds immediately.*

Staff felt that given the significant and pressing need in the community, it would be best to spend the money as quickly as possible.

7) *Please describe the restrictions and guidelines the City must follow in spending these funds.*

Per the bill, funds must be spent:

- . To respond to the public health emergency with respect to COVID-19, or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries, such as tourism, travel, and hospitality;
- a. To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the local government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
- b. For the provision of government services to the extent of the reduction in revenue of such local government due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the local government prior to the emergency (fiscal year 2019 for the City of Austin);
- c. To make necessary investment in water, sewer, or broadband infrastructure; or
- d. To transfer funds to a private nonprofit organization, a public benefit corporation involved in the transportation of passengers or cargo, or a special purpose unit of state or local government.

COUNCIL MEMBER FUENTES' OFFICE

1) Can funding for mental health and wellness services, such as that to be allocated to essential workers affected by COVID-19, similarly be allocated toward general public community assistance programs, child care assistance programs, or more generally through the public health response and recovery to support mental health initiatives?

As with previous funding received related to the COVID pandemic, the legislation and Treasury guidance states that the funds may only be used to respond to the pandemic. Thus, the money can be used to provide mental health services to any person affected by COVID or to any group assisting persons affected by COVID.

2) Can a portion of the City's allocation of the \$510 million appropriated to FEMA for local emergency food and shelter grants be directed toward providing flood insurance relief to Austin communities? If so, in what form(s) could the relief be granted?

FEMA received \$510 million in supplemental funding for the Emergency Food and Shelter Program (EFSP) from ARPA ([link](#)) to assist organizations in communities across the country dedicated to providing food, shelter and supportive services to people with economic emergencies, including our nation's hungry and homeless populations. EFSP is a federally funded program administered by FEMA to supplement and expand work of local social service organizations – both nonprofit and governmental – to provide shelter, food and supportive services to individuals, families and households who have economic, non-disaster related emergencies ([link](#)). EFSP funds are provided to local jurisdictions based on a national allocation formula. Eligible program services that EFSP can cover include:

- Food in the form of served meals or groceries:

- Lodging in a mass shelter or non-congregate shelter facility limited to 30-days of assistance;
- One month rent or mortgage and/or utility assistance to prevent eviction or foreclosure;
- Transportation costs associated with food or shelter;
- Minor emergency repair of small equipment essential to mass feeding or sheltering;
- Expenses incurred making mass feeding or sheltering facilities accessible for individuals with disabilities; and
- Supplies and small equipment essential to feed to shelter people

Flood insurance relief for the community does not appear an eligible program services under EFSP. Representatives from the local EFSP board may be able to provide more specific guidance. Their contact information is attached.



Council Question and Answer

Related To

Item #4

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Additional Answer Information

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QUESTION/ANSWER: Council Member Alter’s Office

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Item #7

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What is laid out in the equity analysis framework and how is it applied to the ASMP?

The equity analysis framework component of this planning effort will establish a means by which bikeways, urban trails, sidewalk and pedestrian crossings are understood through an equity lens. This specific Recommendation for Council Action follows the previous authorization's scope of work and enables the Bicycle Plan to be included in the process.

The equity analysis framework will be informed first by an equity scan which consists of a review of Austin's existing equity work relative to these modal plans and discussions with key stakeholders. From there, an equity framework will be developed that 1) defines principles, goals and key questions for equitable planning, 2) develops a flow chart for equity-centered project processes that includes steps for evaluating (and resolving) the equity impacts of recommendations, and guides project prioritization; 3) establishes performance targets for inclusive outreach, and finally 4) recommends steps for ongoing equity engagement throughout implementation. The equity analysis framework will be used to operationalize key equity action items called out in the ASMP Equity Chapter. For example, ASMP Action 234 "Community Ambassadors" will be implemented by building from the planning team's work, to hire, train, and work with a variety of people who will serve as community ambassadors by bringing local knowledge into key elements of the equity framework. The Ambassador Program will exist beyond the life of the planning effort to extend the reach of the City and better understand, engage with, and respond the community mobility needs on an ongoing basis.



Council Question and Answer

Related To

Item #29

Meeting Date

March 25, 2021

Additional Answer Information

Ratify a contract with PeopleFund to administer the Austin Legacy Business Relief Grant program to disburse funds and provide technical assistance to legacy businesses in Austin in need of relief as a result of COVID-19 pandemic in an amount not to exceed \$5,500,000, with an option to amend and extend the term if additional grant funds become available.

QUESTION/ANSWER: Council Member Fuentes’s Office

Please provide additional details further explaining the proposed ratification to the existing contract.

- In order to ensure funds for this program are awarded as quickly as possible, staff executed a contract with PeopleFund and began program operations. This item asks Council to ratify that executed contract. As a result of this expedited timeline, the Legacy Business Relief Grant program has already opened and received its initial Phase 1 program applications. This will result in awards being made to applicants beginning in April. If staff had waited for Council to authorize the execution of the PeopleFund contract, this timeline would have been delayed by multiple months.
- More details regarding the scope of activities for this contract is provided in the attached scope of work.



Council Question and Answer

Related To

Item #31

Meeting Date

March 25, 2021

Additional Answer Information

Ratify a contract with Joyce James Consulting to provide equity training and strategic equity plan reviews for Austin live music venues that received funds from the Austin Live Music Venue Preservation Fund for a total amount not to exceed \$79,000.

QUESTION/ANSWER: Council Member Fuentes’s Office

1) *Please provide additional information regarding the total number of Phase 1 applications that have been received, along with which of those have been funded.*

- 110 venues applied and were evaluated for Phase 1 funding.
- 74 venues were each awarded \$20K grant award in December 2020, totaling \$1.48M. Eligibility for Phase 1 funding is outlined in Section 3.0 of the LMVPF guidelines and include the following:
 - Operate as a Live Music Venue (see Section 3.1 Live Music Venue Definition)
 - Have a physical address in a City of Austin City Council District
 - Be current on all local and state license requirements
 - Have no delinquent local, county, state, or federal tax obligations
 - Have incurred or plan to incur COVID-19 mitigation and protective equipment expenses
 - Meet or exceed the City of Austin’s recommended COVID-19 safety guidelines, which can be found online at www.austintexas.gov/covid19
- 49 venues awarded Phase 1 funding completed an application for Phase 2 enhanced funding from the remaining \$3.52M grant budget.

2) *In terms of community outreach for the opportunities and requirements related to participation in the equity training and strategic equity plan reviews, how will Phase 1 applicants be notified? Does this ratification consider applicants currently residing or doing business in the ETJ?*

- Only venues awarded Phase 1 funding were eligible to sign up for the Equity Strategic Plan Training Series. Outreach to eligible applicants was conducted by the LMVPF 3rd Party Administrator, the Long Center, as well as the Economic Development Department. Since participation in Equity Strategic Plan Training is mandatory for potential Phase 2 funding, extra due diligence was necessary from the Long Center to ensure all Phase 2 applicants signed up for all three sections of training.
- 46 venues participated in the first section of the Equity Strategic Plan Training Series and are therefore eligible for Phase 2 scoring for potential enhanced funding. Applicants who score high enough for Phase 2 funding must participate in all 3 sections of Equity Strategic Plan Training series scheduled through May 2021 to continue receiving monthly award payments.
- The ratification of the contract approves the increased contract amount to cover additional training sessions needed to accommodate the additional venues.



Council Question and Answer

Related To

Item #37

Meeting Date

March 25, 2021

Additional Answer Information

Approve a resolution relating to a reimagined cadet training academy for the Austin Police Department.

QUESTION/ANSWER: Council Member Alter's Office

1) Please provide details on the funding sources that would be used to fund the APD cadet academy. Please include which funding sources are proposed for usage and how much money would come from each source. Please include a breakdown of how the funds would be spent (cadet salaries, academy educator salaries, recruiting costs, cost for implementation of consultant recommendations/new courses, etc.).

To fund the proposed APD cadet academy in FY21, based upon a start date of June 7th, an approximate \$2.2 million budget amendment to the Austin Police Department budget would be needed to appropriately fund the class. This funding would be drawn from a budgeted Austin Police Retirement System funding increase that ended up not moving forward in FY21. The breakdown of how the funds would be spent is as follows:

- **Cadet salaries:** Approximately \$1.6 million
- **Academy educator salaries:** Approximately \$600,000 in overtime directly related to running the class
- **Recruiting:** No recruiting costs necessary as this class was already recruited
- **Implementation of recommendations/new courses:** In FY20 and FY21, APD has absorbed the costs related to implementation of recommendations at the Academy, including, but not limited to: payments to a facilitator to lead the community review of all training videos; reclassification of an internal civilian position to hire Dr. Villanueva (Organizational Development & Training Manager) and her replacement Dr. Anne Kringen (Division Manager) to begin transition to a blended, civilian and police-led academy; reclassification of an internal civilian position to the Diversity, Equity & Inclusion Manager to ensure DEI is incorporated into all courses; reclassification of a vacant civilian position to a Training supervisor; procuring a Learning Management System with funds reallocated from an expiring contract.

2) Does this item approve the initiation of the 144th cadet class? What if the blueprint steps/standards aren't met and/or the short term recommendations from Kroll are not implemented before the next class is scheduled to start? Who makes the decision whether steps/ standards have been met?

Approval of Item #37 creates the pathway to a reimagined police cadet academy, including steps leading to an academy's commencement provided that activities highlighted within the blueprint are met. Staff is committed to keeping Council apprised of progress as we move forward to June 7th. Council's approval of Item #37 authorizes the class if conditions within the blueprint are met. Staff plans to bring forward a budget amendment for approval in April. The Office of Police Oversight will provide a status update from the Kroll Report's recommendations and an assessment on the timeline for completion of implementing recommendations.

Additionally, two APD staff, including newly hired Training Division Manager, Dr. Anne Kringen, and a Training Supervisor, will facilitate the Kroll Report's recommendations. Lastly, the City is expanding the scope of the existing contract with Joyce James Consulting, who has been working with the APD, to help weave equity more broadly on our reimagining public safety efforts. There are items within this contract that will help the City monitor the recommendations outlined in the blueprint.

3) The long term recommendations outlined in the Kroll report and building on many related reviews are some of the most transformative pieces of the academy revamp. Following the community review and the independent evaluator's review of the 144th class, what are the accountability levers to ensure that changes continue to happen at the academy for future classes? How are we making sure that the post-class reviews for the 144th class and future classes result in real changes at the academy?

APD plans to make community involvement a priority in the curriculum review process an ongoing requirement for the academy moving forward. This will support continuous change within the academy beyond the 144th class. In the short term (preparing for the 144th class), the department will formally establish policies for the Academy Curriculum Review (ACR) committee and begin the process of reviewing the curriculum. In addition, the community video review panel (CVRP) will continue its review process by reviewing any videos under consideration for use in the 144th academy class. Only videos that have been reviewed and approved by the CVRP or have been reviewed by the new CVRP process will be shown during the 144th academy class.

In the long term, APD plans to incorporate community video review as part of the ACR. This process will provide a mechanism where all videos used at the academy moving forward will be evaluated holistically considering content in the context of curriculum. Further, APD will explore putting presentations and lesson plans into a public domain for community comment to inform ongoing efforts to revise APD's training processes and to provide the community the opportunity to see what is taught at the academy.

APD is committed to building out systems that will allow us to measure changes. Currently, many important measures, such as officer performance evaluations, are not accessible in a format that is conducive to analysis. In the short term, APD will begin reporting attrition rates, injuries, and Basic Police Officer Course passing rates disaggregated by demographics; however, APD recognizes that the more substantial measures of faculty performance, fidelity to established academy goals, and policy compliance are also important. APD will begin a process of improving collection of these data to provide a better understanding of the implementation and impact of all changes.

Finally, the City Manager's Office will evaluate reports and recommendations from Kroll Associates and James Joyce Consulting as well as APD progress reports in order ensure progress is being made and to determine how best to address any gaps.

4) What new information are we expecting in the final Kroll report? What information is Kroll waiting to receive from APD to finalize the report and what is the timeline for the report to come to Council?

Kroll is conducting further analysis on the training academy curriculum, including the Texas Commission of Law Enforcement (TCOLE) required courses, de-escalation training, community engagement and community policing curriculum, the review of the potential disparate outcomes of women and cadets of color, and City Council's feedback from the work session. Kroll will also identify police academies and evidence best practices in training curriculum that have resulted in a reduction in use of force incidents. Their final report will be completed and released on April 16, 2021.

City staff will be sending a memo this week to update Council on Kroll's assessment and progress on Resolution 66.

5) Please speak to how the blueprint addresses the underlying paramilitary culture, which was raised as an issue across multiple reports (Peace Mill Report, Villanueva Report, Ferguson Report, Kroll Report, etc.). Please specify which pieces of the blueprint address the paramilitary culture and what steps are to be taken to change it before the start of the next cadet class.

In the blueprint, the points under *Evaluate Implementation of Academy Methodologies* clarify that the academy is a place to learn and not defined by paramilitary goals. The first action item of setting the standards and expectations will be implemented by changing the instructor standard operating procedures to ensure that references to behavioral modifications are removed and that the language reflects an environment where learning and physical fitness are separate. The instructors will be evaluated on their teaching, and the teaching evaluations will be designed to align with their annual performance evaluations. To further address the necessary cultural change, academy personnel will be referred to as faculty moving forward rather than instructors, and faculty will be directly supported by civilian personnel specializing in teaching under an adult learning model. The adult learning model will incorporate cadets' experiences, their willingness to learn and engage them in problem-solving in the classroom. The cadets will also hear more from the community prior to and throughout the academy (Community Engagement Hours). Lastly, more classes will be co-facilitated with community subject matter experts who will provide a different lens and exposure of different perspectives to the cadets.

6) I would like to better understand the process and timeline for replacing outdated curriculum. What level of curriculum review and revision is expected to take place by the new Training Division Manager and the Academy Curriculum Review (ACR) committee before a June class starts?

The new Training Division Manager, Dr. Anne Kringen, has outlined a plan to ensure that all curriculum at the academy is reviewed; however, each review process has a different timeline based on the required effort and available resources.

Dr. Kringen will complete the first level of review prior to the commencement of the 144th class. This initial review will ensure that all defined learning objectives are covered; that teaching materials incorporate adult learning techniques; and that all content and proposed delivery is inclusive and that community perspectives are incorporated through readings, assignments, podcasts.

This review will be completed prior to the start of the 144th class, and the review materials will be sent to Kroll for analysis and reporting. Key elements such as reordering the curriculum to move Spanish, cultural diversity, and oral communication earlier in the schedule have already been submitted to the Texas Commission of Law Enforcement (TCOLE) for approval. Pending this approval, these changes provide the baseline to allow integration of these topics throughout the entire academy curriculum (i.e., learned skills will begin teaching cadets to interact using both Spanish and English).

The second level is a longer-term review process that will include ongoing community involvement. Specifically, this review process incorporates the ACR by establishing the committee and beginning the committee's initial review of curriculum in April. Given that this is a developmental process, it is not feasible to have the ACR review all curriculum prior to the 144th class. As well, given that the ACR process is envisioned as an ongoing effort extending beyond the 144th class, review of curriculum will continue after the 144th class begins. To ensure that the review is adequate before the class starting, the ACR will start with one class in each area of instruction to review. Thereafter, the ACR will continue to work through the entire curriculum recommending changes on an ongoing basis which will be implemented throughout the academy rather than clustering revisions within a single unit or single area of curriculum.



Council Question and Answer

Related To

Item #51

Meeting Date

March 25, 2021

Additional Answer Information

Authorize negotiation and execution of an agreement with Equidad ATX to provide access to affordable groceries, health and wellness, and financial literacy resources to underserved communities for a 12-month term through March 31, 2022 in an amount not to exceed \$400,000, with one 12-month extension option in an amount not to exceed \$250,000, for a total contract amount not to exceed \$650,000.

QUESTION/ANSWER: Council Member Fuentes' Office

Have the participating neighborhoods been identified? If not, what process will be used to identify those services areas? How soon will this program be operable and what are the proposed operating hours?

The program will concentrate on the Eastern Crescent and especially in Northeast and Southeast Austin. At this time, Creedmoor and high schools in Overton and Del Valle have been identified as locations. Additional locations, services and hours will be based on community feedback and ensuring there is adequate space for access, visibility and community accessibility.

Between April 1, 2021 and November 30, 2021, Equidad will convene collaborating partners on a regular basis to develop the service map and schedule. The initial bus retrofit is estimated to take from April 1, 2021 to July 30, 2021, and small-scale food access services will begin once the retrofit is complete. By June 30, 2021, Equidad and Central Texas Food Bank will collaborate to develop a plan that will describe these initial services. Expansion to include all collaborating partners and encompass the full range of proposed services (food access, financial literacy, general health and wellness) are estimated to begin in January of 2022.

The goal at this time is to provide twice monthly events in a given community for a minimum of three hours at a time. Timing may depend on season, the needs of the community, and ongoing feedback from stakeholders.



Council Question and Answer

Related To

Item #98

Meeting Date

March 25, 2021

Additional Answer Information

C14-2020-0121 - Holland Stone - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1105 Matthews Lane (South Boggy Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to urban family residence (SF-5) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant urban family residence (SF-5) district zoning. Owner/Applicant: Bart Van Cromvoirt. Agent: Sandlin Services, LLC, (Nick Sandlin, P.E.). City Staff: Mark Graham, 512-974-3574.

QUESTION/ANSWER: Council Member Alter's Office

The subject property is bifurcated by a classified waterway (LDC 25-8-91) and has a corresponding Critical Water Quality Zone (LDC 25-8-92) that is a buffer established to promote healthy soils and vegetation along the creek corridor and allow the stream adequate space to migrate over time. Stream buffers help control flood impacts, reduce channel erosion and property loss, help maintain good water quality, reduce operation and maintenance costs, and provide multiple community benefits.

- *Can staff provide any additional detail or an estimate on the amount of acreage on this property within the creek buffer?*
 - There is approximately 52,153 square feet (1.19 acres) within the Critical Water Quality Zone (aka: creek buffer). The total area of the site is 108,308 square feet (2.49 acres). The area of the creek buffer consumes approximately 48% of the total area of the site.
- *Can staff provide additional detail on what it means for "a minimum 64 acres of drainage to a point on the property" and how that impacts potential development?*
 - Classified waterways are defined in LDC 25-8-91 as a waterway has a drainage area of at least 64 acres. There are three classifications based on the drainage area to the waterway (minor, intermediate, major).
- *What, if any, estimates do we have on the constraints these code sections will place on development of the site?*
 - Development within a Critical Water Quality Zone is restricted to that allowed by LDC 25-8-261. In the image below, the subject property is outlined by the bright blue polygon and the Critical Water Quality Zone is defined by the purple diagonally-hatched polygon. The two red-shaded polygons are the more developable areas of the site. As one can see, there is developable area on either side of the Critical Water Quality Zone, however the portion of the site in the lower part of the image cannot be accessed from anywhere on the site or off the site without a private drive. According to LDC 25-8-261, a private drive may not cross the Critical Water Quality Zone because that is not development allowed in a Critical Water Quality Zone.





Council Question and Answer

Related To

Item #111

Meeting Date

March 25, 2021

Additional Answer Information

ARA spending framework

QUESTION/ANSWER: Council Member Alter's Office

1) *What are our plans to provide summer programming for youth using our city facilities such as programs run by PARD or programs funded by APH social service contracts run by outside contractors?*

APH staff have reached out to funded providers that offer youth programming during the academic year and the summer. Out of the 14 programs funded, all but two have confirmed either virtual or in-person opportunities for youth will be provided.

Two agencies are still planning delivery methods for summer activities and will update the department once plans are finalized.

PARD's goal is to resume the person summer camp opportunity in a manner that is consistent with CDC guidelines and local health authority recommendations. PARD will also offer a smaller selection of virtual camp options.

PARD is working with Austin Public Health to finalize a modified operational plan for in-person Summer Camps for 2021. At this time in person modified operations (as recommended by public health authorities and the CDC) will require reduced classroom capacity. During typical summer camp operations, PARD has the capacity to expand offerings, but currently, it is not possible to expand in person offerings and comply with the modified operations recommendations. The capacity for After-school Programs is yet to be determined.

As a youth development best practice, PARD does not typically hire youth under the age of 18 to supervise other youth in either Summer Camp or Afterschool. Instead, PARD typically conducts a Teen program that helps to build leadership skills for future employment opportunities. Youth employees under the age of 18 are not able to be counted in staff to child ratios as outlined in Local Standards of Care. In consideration of maximizing summer camp services to school aged children, hiring youth as counselors will further decrease capacity.

The City of Austin does hire youth under the age of 18 via the youth employment program. PARD collaborates with the youth employment program to place youth employees into PARD positions in which they can gain experience in the workforce and be successful. Given the opportunity this summer, PARD will collaborate as it has in the past to place youth in appropriate positions.

2) *How does this spending framework anticipate providing opportunities for youth programming during our summer months or other out-of-school-time programming in the next academic year?*

While the framework does not specifically address youth programming, there are opportunities for work-aged youth to participate in workforce training opportunities included in the spending plan (such as ACCC).

3) *What are our immediate plans to re-open libraries or otherwise expand digital access for Austinites who may not own personal computers or have internet in their homes? How does this spending framework anticipate investments and expenditures that expand digital access in the short and long-term?*

APL is looking to open our libraries for computer use in the April/May timeframe with the guidance of the health authorities. In the interim, we are providing laptops and hotspots to the community. If additional funding becomes available, we will expand our laptops and hotspots lending efforts. The spending plan recommends financial support towards closing the digital divide via investments in internet access; subscriptions; tablets; digital literacy training; and virtual tech support.

4) *Please provide a breakdown of funds used for first responders/public safety by department (APD, AFD, EMS). Please specify how much is allocated for each department's regular salaries and how much is for overtime costs.*

There are no funds being allocated for APD, AFD, or EMS

5) *Can staff provide additional detail on why various buckets are being spent out over two years?*

The Treasury Department will allocate local government allocations in two tranches: half within 60 days of enactment and the remaining half next year. While funds are available until December 31, 2024, staff felt that given the significant and pressing need in the community, it would be best to spend the money as quickly as possible.

6) *Please provide additional detail on the rationale for spending reserve funds immediately.*

Staff felt that given the significant and pressing need in the community, it would be best to spend the money as quickly as possible.

7) *Please describe the restrictions and guidelines the City must follow in spending these funds.*

Per the bill, funds must be spent:

- To respond to the public health emergency with respect to COVID-19, or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries, such as tourism, travel, and hospitality;
- To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the local government that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;
- For the provision of government services to the extent of the reduction in revenue of such local government due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the local government prior to the emergency (fiscal year 2019 for the City of Austin);
- To make necessary investment in water, sewer, or broadband infrastructure; or
- To transfer funds to a private nonprofit organization, a public benefit corporation involved in the transportation of passengers or cargo, or a special purpose unit of state or local government.



Council Question and Answer

Related To

Item #111

Meeting Date

March 25, 2021

Additional Answer Information

ARA spending framework

QUESTION/ANSWER: Council Member Fuentes's Office

1) Can funding for mental health and wellness services, such as that to be allocated to essential workers affected by COVID-19, similarly be allocated toward general public community assistance programs, child care assistance programs, or more generally through the public health response and recovery to support mental health initiatives?

As with previous funding received related to the COVID pandemic, the legislation and Treasury guidance states that the funds may only be used to respond to the pandemic. Thus, the money can be used to provide mental health services to any person affected by COVID or to any group assisting persons affected by COVID.

2) Can a portion of the City's allocation of the \$510 million appropriated to FEMA for local emergency food and shelter grants be directed toward providing flood insurance relief to Austin communities? If so, in what form(s) could the relief be granted?

FEMA received \$510 million in supplemental funding for the Emergency Food and Shelter Program (EFSP) from ARPA ([link](#)) to assist organizations in communities across the country dedicated to providing food, shelter and supportive services to people with economic emergencies, including our nation's hungry and homeless populations. EFSP is a federally funded program administered by FEMA to supplement and expand work of local social service organizations – both nonprofit and governmental – to provide shelter, food and supportive services to individuals, families and households who have economic, non-disaster related emergencies ([link](#)). EFSP funds are provided to local jurisdictions based on a national allocation formula. Eligible program services that EFSP can cover include:

- Food in the form of served meals or groceries;
- Lodging in a mass shelter or non-congregate shelter facility limited to 30-days of assistance;
- One month rent or mortgage and/or utility assistance to prevent eviction or foreclosure;
- Transportation costs associated with food or shelter;
- Minor emergency repair of small equipment essential to mass feeding or sheltering;
- Expenses incurred making mass feeding or sheltering facilities accessible for individuals with disabilities; and
- Supplies and small equipment essential to feed to shelter people

Flood insurance relief for the community does not appear an eligible program services under EFSP.

Representatives from the local EFSP board may be able to provide more specific guidance. Their contact information is attached.