



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: January 25, 2011

SUBJECT: Council Member Morrison 1:1 Follow-Up Items (January 19)

(1) Bradford-Nohra House – CM Morrison requested an update on this historic zoning case.

Staff Follow-Up:

On January 13th, Council closed the public hearing and voted 4 to 3, in favor of historic zoning for the Bradford-Nohra house. Council Members Cole, Morrison, Riley, and Spelman voted in favor; the Mayor, the Mayor Pro Tem and Council Member Shade voted against. Because the proposed zoning change is owner opposed, a super-majority of the Council is necessary to pass on more than one reading, so the item passed on 1st reading only. The item is scheduled for 2nd reading on January 27th. Staff will be recommending that it be offered on Consent.

(2) Sister City Visit by Oita, Japan – You directed staff to work with CM Morrison's Office on the upcoming visit by officials from Oita, Japan.

Staff Follow-Up:

ACM Sue Edwards and the International Program staff have been in contact with CM Morrison's office to discuss City's hosting obligation for the Oita delegation that will be visiting Austin in March 2011. An initial figure of \$4,610 was received from CM Morrison. However, you signaled your intent to increase the City's financial contribution. Staff is waiting on a total cost figure from CM Morrison so that it can be presented to you you're your consideration.



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: January 24, 2011

SUBJECT: Mayor Pro Tem Martinez 1:1 Follow-Up Items (January 18)

(1) Austin Cultural/Sporting Events – you asked staff to investigate whether or not the city has been losing cultural/sporting events (e.g. Austin Rodeo) to other Texas cities?

Staff Follow-Up:

According to ACM Bert Lumbreras, the Austin Rodeo will remain at the Travis County Expo Center this year. There has been some discussion by the Rodeo Board to move the event to Williamson County, but a board-commissioned study on the feasibility of the move concluded that it would be best for the event to stay at its current location.

Meanwhile, Travis County has approached staff requesting upgrades to the Expo Center. The City agrees that the facility is in need of some upgrades, including possible expansion. Staff will be conducting a tour of the property to do an assessment regarding possible improvements that could result in new events, concerts and overall facility utilization.

As for whether Austin has lost events to other cities, ACM Rudy Garza and his staff will be looking into this further. A comprehensive response should be ready the end of the week.

(2) Capital Metro Transit - you asked staff to look into the market potential for the Capital Metro property (approximately 12 acres) located at Interstate 35 and 4th-5th Streets? There has been a suggestion of a possible land swap between the City of Austin and Capital Metro.

Staff Follow-Up:

According to Marie Sandoval, ACM Sue Edwards briefed you last Friday on the feasibility of preparing a preliminary assessment to make this property marketable, including market options to achieve "highest and best use" Therefore, no staff response was prepared for your 1:1 with MPT Martinez.

(3) Brownfields Economic Development Initiative (BEDI) Grant – you asked if there were any City programs and/or funding to assist 7th Street businesses that are suffering from the slumping economy as well as the City's road construction along that stretch of roadway. You suggested that staff make contact with business owners to determine the economic impact, and to see what resources are needed to help them stay afloat.

Staff Follow-Up:

This was assigned to ACM Sue Edwards and NHCD Director Betsy Spencer. Staff is preparing a response.

(4) City Hall Security – you requested that staff evaluate the use of an APD officer or Park Ranger at the 1st Floor north and south entrances of City Hall.

Staff Follow-Up:

According to Jason Alexander, there has been discussion among APD to create a reserve police officer corp comprised of retired APD officers in good standing. One of the recommendations would be to staff City facilities with these retired officers.

A meeting to discuss security at City Hall (as well as all City facilities) is scheduled for the week of January 31st among top management at APD. In the meantime, an assessment will be conducted and completed by the end of the week to see if City Hall would be better served with armed security at the various entrances to the building.



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: January 18, 2011

SUBJECT: Council Member Morrison 1:1 Follow-Up Items (January 12)

- (1) **Allendale Lawsuit** – this lawsuit prompted CM Morrison to ask questions about restrictive covenants. She mentioned that a Council resolution was adopted in the 1980s that prohibited the City from violating such covenants. Law was tasked to research this issue and to respond directly to the council member.

Staff Follow-Up:

Attached is a memo prepared earlier today by Assistant City Attorney Brent Lloyd in response to Council Member Morrison's legal questions about restrictive covenants.

- (2) **Long-Range Parks Master Plan** - CM Morrison wants to meet with Sara Hensley to discuss the possibility of developing interim park plans. She feels that if such plans had been in place, contentious issues like the one involving disc golf might have been avoided.

Staff Follow-Up:

PARD Director Sara Hensley and PARD Assistant Director Kelly Snook have tentatively scheduled a meeting with Council Member Morrison for next Monday, January 24th to discuss the feasibility and importance of developing interim plans.

- (3) **Elisabet Ney Museum Wall** - CM Morrison wants to know why a consultant is needed to determine an action plan for the Ney improvements.

Staff Follow-Up:

According to Historic Preservation Officer Steve Sadowsky, in order to amend the Elisabet Ney Master Plan, the City must prepare an amendment that will withstand the rigor of examination by the Texas Historical Commission and the U.S. Department of the Interior, since they were the approving authorities for the Master Plan. Both entities have the authority to amend the designations for the Elisabet Ney Museum by taking local significance into consideration. Mr. Sadowsky is familiar with the proposal developed by local stakeholders, and has recommended that a third-party authority on Landscape History

be brought in to vet the recommendations of local stakeholders and to prepare the amendment.

- (4) Gazebo on Lady Bird Lake** - CM Morrison wants to know if there is a maintenance plan for the gazebo.

Staff Follow-Up:

According to Parks Director Sara Hensley, a long-range maintenance plan for the Fannie Mae Davis Gazebo is in place. Her department has a goal of maintaining this facility at Level 4, which is a comprehensive maintenance level that building and facilities are recommended to be kept.

Below are some aspects of a Level 4 facility maintenance plan.

- 1. Service response is within 2 weeks for routine requests.*
- 2. Building users are satisfied with the maintenance service and are generally proud of the appearance and condition of the facility.*
- 3. Emergency notifications are only 5 – 10% of all notifications.*
- 4. Preventive maintenance is 50 – 70% vs. repair maintenance.*
- 5. Work order backlog is kept below average for similar facilities.*
- 6. Breakdown or emergency maintenance is usually due to unpredictable failure of equipment or components.*
- 7. Illumination is clean and attractive.*
- 8. Interior finishes and fixtures are in better than average condition for similar facilities.*
- 9. Staffing levels meet short and long term maintenance needs.*
- 10. Roof is watertight and finishes appear good.*
- 11. Most sustainability plans and projects are in place and in use.*
- 12. A Preventive Maintenance and work order management system are in use.*



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: November 9, 2010

SUBJECT: Council Member Morrison 1:1 Follow-Up Items (October 28)

Items 1, 3, 4, 5, 6 and 8.
No follow-up assignment.

(2) AISD & Historic Exemption – CM Morrison wanted some background information on the possible elimination of the historic exemption at AISD. She wanted to know what the City is doing, and suggested this might lead to a conversation between the City and Superintendent Dr. Meria Carstarphen. The Council Member also referred to the Historic Landmark Commission's review of the historic exemption program and the evaluation of the economic benefits of such exemptions. There is a deadline for this review of December 2010.

Staff Follow-Up:

Response from ACM Sue Edwards

In June of this year, Council passed Resolution No. 20100610-029 (see copy attached), related to the City's process for granting historic landmark status. The direction was split into two segments. The first segment, due August 5, 2010, directed the City Manager to initiate code amendments to limit the number of historic landmark nominations per month. The second segment of the resolution, due by December 31, 2010, directed the City Manager to:

- (a) examine Historic landmark preservation practices in peer United States cities and identify best practices for identifying, designating and ensuring the preservation of historic properties;
- (b) work with the Historic Landmark Commission to prepare recommendations to limit the total amount of property tax exemption for each historic property to a fixed dollar amount per year and prepare recommendations on the proper size of this limit;
- (c) work with the Historic Landmark Commission to prepare recommendations on any other aspects of the historic property identification and designation process, the benefit

structure for historic properties, and the allocation of City resources for historic preservation purposes; and

(d) prepare an analysis of the economic benefits of historic preservation.

Staff has been working with a committee of the Historic Landmark Commission, which meets every two weeks. Progress has been slow due to a number of factors, one of which includes resources. The Historic Preservation Office currently has one full time staff person (the Historic Preservation Officer) and a part time administrative position. In an effort to balance day to day operations along with the additional tasks associated with this initiative, response time has been slower than staff would like. In addition, staff has identified a disconnect between PDRD and CTM staffing in terms of GIS needs. This week, the Directors of both departments will meet to discuss proper interdepartmental coordination of Council initiatives, which should resolve any outstanding issues. PDRD leadership is also in the middle of a recruitment process for an additional Historic Preservation Officer as well as full time administrative support for this office.

On November 18, 2010, Council Member Morrison will be sponsoring an item extending the December deadline to March 2011. Additionally, AISD and Austin Community College recently decided they would no longer participate in the Historic Preservation program, which will result in a significant decrease in the value of the historic tax exemption. City staff, however, has been working with AISD to see what can be done to bring them back into the program. Staff is developing recommendations to present to AISD officials in the near future.

(7) Montopolis – CM Morrison had asked if either the Austin Water Utility or the Parks & Recreation Department had initiated zoning cases that violate Neighborhood Plans. She further asked, “Why would staff bring forward zoning cases in conflict with Council-approved neighborhood plans?”

Staff Follow-Up:

Response from ACM Sue Edwards

On July 29th, the Austin Water Utility filed a zoning application to change the zoning of a property located at 2201 Grove Blvd from GR-MU-CO-NP to P-NP, for the purposes of constructing, maintaining and operating a water reclamation tower (i.e. Grove Water Tower). This would also require a neighborhood plan amendment, amending the Future Land Use Map (FLUM) from mixed use to civic. Neighborhood Planning staff recently met with the neighborhood contact team to discuss the proposed zoning change. Water Utility representatives attended the meeting to discuss the proposed project and committed to following up with the list of properties that were considered for this project, along with the rationale for why they are not viable. The contact team is not in support of the zoning change. Neighborhood Planning and Zoning staff will wait on the requested data before finalizing a recommendation.



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: November 9, 2010

SUBJECT: Council Member Morrison 1:1 Follow-Up Items (November 2)

Items 3 and 4.

No follow-up assignment.

- (1) **WTP 4** – CM Morrison requested follow-up on two items: (a) the Parks Board requested an environmental report but received no direct response from staff; and (b) the timeline for the Chapter 26 hearing process.

Staff Follow-Up:

Response from ACM Rudy Garza

a. According to ACM Garza, staff has provided all reports completed to-date. This information includes environmental assessments. However, there is ongoing work and staff will provide additional information as it becomes available.

b. The timeline for the Chapter 26 hearing process is as follows:

- Set the Hearing – November 18
- Hold the Public Hearing – December 16

- (2) **Mobile Loaves & Fishes (MLF)** – CM Morrison had asked if staff was following standard operating procedures with respect to community engagement for the two proposed MLF sites.

Staff Follow-Up:

Response from ACM Bert Lumbreras

ACM Lumbreras personally met with CM Morrison last Wednesday (November 3) and gave her a briefing on the outreach work that has been done so far. He acknowledged that staff is very much in a reactive mode and fielding a lot of negative reaction to the process, the project and the City's consideration of even allowing such a use in their neighborhood. Staff has already had three meetings in North Austin, near the proposed Burnet Road site. One

of these meetings involved the North Austin Civic Association (NACA); another was held with the neighborhood contact team; and the third, with the Graciewood Neighborhood Association. In these meetings, staff is essentially allowing Alan Graham of MLF to present his project, field specific questions about what his organization is proposing as well as many of the services and programs that MLF is intending to provide. ACM Lumbreras has several staffers who are addressing specific issues, including the basis for considering the two sites, site features, proposed lease provisions, zoning, who will ultimately make the decision, impact to neighborhoods, traffic analyses, crime, panhandling and other issues.

ACM Lumbreras is again meeting with staff this week to formulate a strategy moving forward, which will involve outreach in the area where the second proposed site on Platt Lane is located (southeast Austin). Lumbreras approached CM Morrison about her ideas on how best to approach the neighborhoods in the area, which will be incorporated in staff's outreach plan. Ultimately, when the public engagement piece is completed, staff will then make a recommendation. Lumbreras has been advising citizens that the City maintains the option to consider (1) one or the other site; (2) none of the two; or (3) a new one altogether. However, Council will make the final decision. Staff believes that affected citizens near the two proposed sites may request a Council public hearing on this issue, which is certain to generate large public interest and attendance at that meeting.



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: November 9, 2010

SUBJECT: Council Member Morrison 1:1 Follow-Up Items (October 28)

Items 1, 3, 4, 5, 6 and 8.
No follow-up assignment.

- (2) **AI SD & Historic Exemption** – CM Morrison wanted some background information on the possible elimination of the historic exemption for commercial properties at AISD. She wanted to know what the City is doing, and suggested this might lead to a conversation with Maria Castarphen. The Council Member also referred to the Historic Landmark Commission's review of the historic exemption and evaluate the economic benefit. There is a deadline for this review of December 2010.

Staff Follow-Up:

Response from ACM Sue Edwards

In June of this year, Council passed Resolution No. 20100610-029 (see copy attached), related to the City's process for granting historic landmark status. The direction was split into two segments.

The first segment, due August 5, 2010, directed the City Manager to initiate code amendments to limit the number of historic landmark nominations per month. The second segment of the resolution, due by December 31, 2010, directed the City Manager to:

- (a) examine Historic landmark preservation practices in peer United States cities and identify best practices for identifying, designating and ensuring the preservation of historic properties;
- (b) work with the Historic Landmark Commission to prepare recommendations to limit the total amount of property tax exemption for each historic property to a fixed dollar amount per year and prepare recommendations on the proper size of this limit;
- (c) work with the Historic Landmark Commission to prepare recommendations on any other aspects of the historic property identification and designation process, the benefit

- structure for historic properties, and the allocation of City resources for historic preservation purposes; and
- (d) prepare an analysis of the economic benefits of historic preservation.

Staff has been working with a committee of the Historic Landmark Commission, which meets every two weeks. Progress has been slow due to a number of factors, one of which includes resources. The Historic Preservation Office currently has one full time staff person (the Historic Preservation Officer) and a part time administrative position. In an effort to balance day to day operations along with the additional tasks associated with this initiative, response time has been slower than staff would like. In addition, staff has identified a disconnect between PDRD and CTM staffing in terms of GIS needs. This week, the Directors of both departments will meet to discuss proper interdepartmental coordination of Council initiatives, which should resolve any outstanding issues. PDRD leadership is also in the middle of a recruitment process for an additional Historic Preservation Officer as well as full time administrative support for this office.

On November 18, 2010, Council Member Morrison will be sponsoring an item extending the December deadline to March, 2011. Additionally, AISD and Austin Community College recently decided they would no longer participate in the Historic Preservation program, which will result in a significant decrease in the value of the historic tax exemption.

- (7) Montopolis** – CM Morrison had asked if the Austin Water Utility or the Parks & Recreation Department had initiated zoning cases that violate Neighborhood Plans. She further asked, “Why would staff bring forward zoning cases in conflict with Council-approved neighborhood plans?”

Staff Follow-Up:

Response from ACM Sue Edwards

On July 29th, the Austin Water Utility filed a zoning application to change the zoning of a property located at 2201 Grove Blvd from GR-MU-CO-NP to P-NP, for the purposes of constructing, maintaining and operating a water reclamation tower (i.e. Grove Water Tower). This would also require a neighborhood plan amendment, amending the Future Land Use Map (FLUM) from mixed use to civic. Neighborhood Planning staff recently met with the neighborhood contact team to discuss the proposed zoning change. Water Utility representatives attended the meeting to discuss the proposed project and committed to following up with the list of properties that were considered for this project, along with the rationale for why they are not viable. The contact team is not in support of the zoning change. Neighborhood Planning and Zoning staff will wait on the requested data before finalizing a recommendation.



MEMORANDUM

TO: Marc A. Ott, City Manager
FROM: Ray Baray, Assistant to the City Manager
DATE: October 12, 2010
SUBJECT: Council Member Riley 1:1 Follow-Up Items

Council Member Riley

(1) Shoal Creek Trail Project (Gap) - CM Riley has inquired about a gap in the Trail, approximately 1/2 block long, that cuts into the North/South bike route. He said it's been a problem for the last 30 years. Riley asked the City Manager to look into this.

Staff Follow-Up: Bert Lumbreras is working with Sara Hensley to provide a new updated timeline on this project.

Let me know if I can provide you with any additional information. Thanks!



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: October 26, 2010

SUBJECT: Council Member Riley 1:1 Follow-Up Items

(1) Shoal Creek Trail Project (Gap) – CM Riley inquired about a gap in the Trail, approximately 1/2 block long, that cuts into the North/South bike route. He said it's been a problem for the last 30 years. Riley asked for a status report on this project.

Staff Follow-Up:

As a way of background, the completion of the Shoal Creek Trail south of 5th Street would be a major addition to the City's trail system. Closing the gap would allow a continuous trail for bicyclists/pedestrians from central Austin neighborhoods to Lady Bird Lake.

According to ACM Bert Lumbreras, CM Riley is concerned about the delay in getting this project underway. The original completion date of Spring 2012 was pushed back to September 2012 for two reasons: (1) the field work for the feasibility engineering report fell behind by one month due to wet weather in February 2010; and (2) additional work for a third alternative option (different from the two original options) to bring the Trail out of the two-year floodplain as much as possible.

To reconcile for these delays, the consultant (HNTB) has developed an aggressive and revised design schedule. Staff is considering the offer of a bonus incentive to the contractor to accelerate construction. However, given the location of some of the work in the creek channel, that portion will be highly susceptible to weather impacts, adding uncertainty to the overall time schedule. In any event, staff feels confident of meeting the September 2012 completion date.

ACM Lumbreras and PARD staff met with CM Riley last week to review the project schedule, and Riley was pleased with the selected alternative and timeline. A more detailed summary of the project is attached for your review.

Let me know if I can provide you with any additional information. Thanks!



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: November 9, 2010

SUBJECT: Council Member Riley 1:1 Follow-Up Items (October 27)

Item 1

No follow-up assignment.

(2) Travis County Downtown Master Plan Process – CM Riley mentioned that he was meeting with County staff on Friday, November 5 to discuss this issue. You indicated that perhaps staff should attend. You asked me to follow-up with ACM Sue Edwards.

Staff Follow-Up:

Jim Robertson, the City's urban design officer, attended the meeting with CM Riley and Travis County staff. Apparently, the meeting focused entirely on the county's master planning effort for their Downtown campus. In Mr. Robertson's view, there is a lot to like (from the City's perspective) about the direction the County is headed, for example:

- the restoration of the historic Sweatt courthouse building, including making it open to the public on all four sides; the more public use of the first floor; the possible creation of an outdoor eating area looking out over Wooldridge Square;
- the increased level of County activities in the area of Wooldridge Square, thereby further energizing the Square;
- the redevelopment of Block 126 (the city block northeast of Wooldridge Square) including the possible creation of a significant public plaza across the middle of the block; the possible creation of retail-type activities at the ground level;
- meeting the parking needs through the creation of a significant amount of underground parking; and
- the commitment to Great Streets improvements and the general approach of "place-making."

There is a big piece of the puzzle that has not been resolved. Travis County has determined that they need a new building (+/- 500,000 square feet) to house a civil/family justice

center. This building will likely not be located within or adjacent to their Downtown campus, but is targeted to be in the downtown vicinity. They are currently looking at available sites and hope to settle on one in the coming months. Since this was an informational meeting, there was no indication that City staff to be involved in further meetings.

- (2) **Ambulance Staffing** – CM Riley heard that there was a plan to begin staffing EMS units with 1 paramedic and 1 technician instead of the current practice of 2 paramedics. You asked me to follow-up with ACM Mike McDonald.

Staff Follow-Up:

Response from Mike McDonald

EMS is currently working on their Strategic Plan. One of the components of this plan is assessing a potential staffing alternative – one that would convert staffing in ambulances from 2 paramedics to 1 paramedic and 1 EMT.

EMS has identified several possible gains in implementing this strategy from a *financial*, *workforce*, and *clinical* perspective. For instance, from a **financial** perspective, the department asserts this change could allow for the reallocation of some dollars without asking for additional revenues in the budget process. Essentially, it could be cheaper to staff each unit, allowing for more funds to be used elsewhere in the department. From a **workforce** perspective, it enhances promotional opportunities for staff by providing the ability to promote within the ambulance structure. Previously, staff had to leave the ambulance to promote – this creates an additional step in that promotional chain. Finally, from a **clinical** standpoint, there is significant research supporting the 1 paramedic/1 EMT model and its impact on patient care.

Last week, the EMS department updated the EMS Advisory Board on their strategic planning process, and this was one of the items that was discussed. The board is in strong support of the department's continued evaluation of this change in staffing. Further discussion will occur at the board's next meeting. If the board recommends approval, then staff will craft a summary document that will include an overview of the key issues, possible solutions, and other considerations. Afterward, staff will hold several employee meetings to discuss how the department might implement this change and gather further input from them. EMS staff will continue to discuss this with the Association President to the extent that he represents the workforce and within the context of the City's contract agreement.

It should be noted that if this component of the plan were to proceed, it would not be immediate. The department would create a "phase-in" plan, phasing the changes in appropriately – likely over the course of a few years. Also, the department has held two meetings on this topic, each between the EMS Director, Medical Director, and President of the EMS Employee Association. The department has and will remain in close communication with the Association throughout the entire process.

It should further be noted that this change would not apply to every ambulance unit. For instance, specialized units like those responding to SWAT calls or other high profile incidents would continue with the 2-paramedic staffing model.

Again, these conversations have only recently begun. No finalized staffing decisions have been made. Chief McDonald is aware of EMS' interest in pursuing this course of action and supports this initiative.

- (4) Sustainable Food/Community Gardens** – CM Riley expressed an interest in the hiring of two FTEs for a sustainable food/community garden program. You asked me to follow-up with Ed Van Eenoo to discuss the funding source for these positions. Also, you directed me to contact Mark Washington to discuss developing job profiles for these same positions.

Staff Follow-Up:

According to Ed Van Eenoo, staff has already met twice to determine the funding source for these two positions. There have been suggestions to access funding from SWS, PARD, HHS or WPD. However, no final decision has been made, and staff will be meeting again on November 16th to iron out budget/funding details.

As for the job profile issue, Mark Washington and I had a brief meeting with CM Riley today to get his thoughts on what he envisions as the job duties for these positions. CM Riley believes the skill set should include community outreach, possibly an agricultural background as well as experience with urban farms. Also, he suggested that staff meet with Andy Moore of the Mayor Pro Tem's office for further background information. A meeting with Mr. Moore, that includes HR staff and myself, is scheduled for tomorrow (Wednesday, November 10) to develop a job description that meets the expectations of the Council.

- (5) Park Fees** – CM Riley wanted to know if a draft proposal had been prepared by staff on the commercial use of City parks. You asked me to follow-up with ACM Bert Lumbreras.

Staff Follow-Up:

Response from ACM Lumbreras

According to ACM Lumbreras, the park fee issue is still a very fluid process. No formal proposal has been drafted, but one is in the works. Staff is currently working with the Community Input Task Force – comprised of key stakeholders, including fitness groups, rowing and paddle board interests, residents and park advocates – to come up with a range of recommendations. Task Force findings will be discussed with staff at their last meeting scheduled for November 12th. Sara Hensley and PARD staff will review these recommendations, which will form the basis of a recommendation seeking Parks Board approval in the December/January timeframe. A copy of the proposal will be shared with Council at that time. Since the proposed Parks fee is a new fee, it will require Council approval. Council consideration is expected in February 2011.



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: November 9, 2010

SUBJECT: Council Member Shade 1:1 Follow-Up Items (November 3)

Items 1, 2, 3 and 4
No follow-up assignments.



MEMORANDUM

TO: Council Member Bill Spelman

CC: Marc A. Ott, City Manager
Robert Goode, Assistant City Manager
Byron Johnson, Purchasing Officer

FROM: Ray Baray, Assistant to the City Manager

DATE: October 14, 2010

SUBJECT: Use of Agenda Posting Language

You had asked why the posting language for Items 26, 29 and 31 on the October 14th Council agenda did not indicate that there were other qualified vendors, in addition to staff's recommended choice.

For **Item 29**, the posting language was included, pursuant to the new posting language policy that was recently adopted by Council, as you will see underlined below.

29. Authorize award, negotiation, and execution of an 18-month requirements service contract with VOLATILITY MANAGERS LLC, Green Mountain Falls, CO, or one of the other qualified offerors to RFP No. RML0022, for consulting services for performing residential consumer independent rate advisor services for Austin Energy...

However, for **Items 26 and 31**, the posting language was not included because, in addition to staff's recommendation, there was only one other offeror, and in each case the offeror could not be considered because their proposal was non-responsive in accordance with the solicitation requirements.

For **Item 26**, the other offeror (Restaurant Repair Company) did not provide pricing, which was one of the solicitation requirements. Therefore, their proposal was deemed non-responsive. For **Item 31**, Mr. Cool Radiator Company did not include the proper bid sheet, and therefore their proposal could not be considered for award. This information was provided in the agenda back-up, and listed on the scoring matrix.

Staff suggests that a mere reading of the caption will not always indicate that other offerors had submitted bids that were later deemed non-responsive. For that reason, it is best to review the scoring matrix to get a true picture of the procurement process for the particular item. I am pleased to report that the Purchasing Department has correctly adhered to the posting language policy adopted by Council

Please feel free to contact Byron Johnson, Purchasing Officer, at 974-2520 if you have any further question. Thanks!



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: December 10, 2010

SUBJECT: Structure and Role of Youth Advisory Commissions

Question

This memo is in response to your question about the structure and role of Youth Advisory Commissions (YAC) at the local level, particularly their membership composition, funding sources, staffing, board activities, and other related issues. Provided below is a summary of my research.

Background

Many cities across the country have created Youth Advisory Commissions, with their popularity growing in recent years. Today, most youth commissions attempt to fulfill one or more of the following three primary purposes:

- (1) to foster and promote youth involvement in local government;
- (2) to study issues and problems facing local youth; and
- (3) to provide a forum where policy recommendations can be discussed and solutions developed.

According to the Texas Municipal League, over 60 cities throughout the state have created such commissions. Even the National League of Cities' website has links to more than 150 YACs in 20 states plus the District of Columbia.

Most of these commissions are formal advisory bodies comprised of youth (typically ages 13-18) appointed by elected municipal leaders, with an eye toward selecting members that reflect as much as possible the demographic characteristics of the youth population of their communities.

What becomes readily apparent from the existing literature is that the structure and role of these commissions vary greatly from city to city. They literally run the gamut. Yet, whatever

their structure, YACs provide a meaningful voice as well as a forum to discuss youth-related problems. City leaders often comment that youth commissions fill an important need, recognizing that young people are often excluded from the policy development process, especially on the issues that most concern them.

To give you a sense of the organizational diversity of these commissions, I surveyed approximately 20 youth commission in peer cities¹, taking note of their organizational structure in the following areas:

Membership

Most commissions tend to have between 15 and 20 members, but this number varies widely. San Francisco has 17 members; Nashville's commission totals 32; and Boston operates with as many as 40.

In some cities (e.g. San Antonio, Miami and San Francisco), commission members are selected from the city council district where they reside, with the Mayor having one or more at-large appointments. Cities like Boston, which elect some of their councilors at-large, have YACs that try to achieve the broadest representation possible by recruiting young people from distinct neighborhoods versus districts, in addition to community-based programs, youth-service agencies, juvenile justice programs and faith-based organizations. Another good example is Baltimore's 31-member youth commission comprised of 17 voting members and 14 non-voting members. The 17 voting members include one person from each of Baltimore's 14 council districts and 3 at-large seats. The 14 non-voting members represent various community and city agencies, including the Health Department, Police Department, Family League of Baltimore City, Baltimore City School System, and several others. Seattle takes the Baltimore model a step further by reserving two spaces for homeless youth on their 38-member commission. And some cities find it important to collaborate with civil rights organizations that serve people of color, like the NAACP and LULAC.

A related component of membership is *age*. Most commissions have high school-aged youth as their core, limiting participation to youth between the ages of 14-18. However, some commissions have broader age limits. In Portland, youth from 13-21 are eligible, as are those from ages 12-23 in San Francisco. The thinking goes that older youth bring an experience level that can move a commission's work quickly as well as serving as mentors to younger members.

Recruitment

Youth commission members are typically recruited through schools, youth-serving agencies, church-based organizations and human service programs. Applications to serve on a YAC are handled administratively by City staff, but it is up to the Mayor and Council to screen and nominate prospective applicants. In almost every city, eligibility is restricted to residents or students that attend school within the corporate limits of the sponsoring municipality.

¹ These cities include: Arlington (TX), Baltimore, Boston, Chicago, Denver, Des Moines, Fort Worth, Kansas City, Los Angeles, Miami, Nashville, Oakland, Philadelphia, Phoenix, Sacramento, San Antonio, San Diego, San Francisco and Seattle.

Summary

What became clearly evident in my research is that no two YACs are alike. Each one takes on the unique characteristics of their sponsoring cities. What they all seem to share, however, is an acknowledgement that young people should have a seat at the table for policies that directly involve them. Youth advisory commissions provide that voice, and are becoming an increasingly important sounding board for municipal leaders as they tackle the issues important to young adults.

I trust this satisfactorily responds to your question about structure and role of Youth Advisory Commissions. If you have any questions or would like for me to conduct further research, just let me know. Thanks!

Term Length

In most cities, commission members serve two-year terms, with a one-term maximum. This is generally done to allow as many youth as possible to participate. A small number of YACs, however, allow for longer and additional terms, but members must reapply in order to serve another term.

Staff Support

In the majority of cities, administrative support is provided by city staff. This support is more likely to come from the Parks & Recreation Department, Health & Human Services Department, or a department equivalent that oversees the delivery of city services to children, family and youth. In some instances, however, youth commissions are housed within the Mayor's Office (e.g. Arlington and Denver) or the City Manager's Office (e.g. Des Moines).

Funding Sources

Very few cities provide direct funding to their youth commissions beyond city staff support. Some municipalities – like San Francisco – allow their commissions to accept in-kind donations and grants. Similarly, Chicago allows private donations, including corporate sponsorships. And still others engage in various fundraising activities, which are more commonly found in smaller to medium-size cities.

Commission Activities and Goals

Youth commissions engage in a broad range of activities. Some focus on youth service projects, such as graffiti clean-up and park beautification. Others are more education-oriented, working to organize career and college fairs as well as mentoring and drop-out prevention programs. And still others work on issue advocacy, studying the policy implications of youth curfews, gang intervention, teen pregnancy, social media, and a host of other related issues. This work usually culminates in a semi-annual or annual report that is submitted to the Mayor and Council, with recommendations for programs and policies that municipal leaders should consider.

Youth commissions also engage in some rather creative projects. For example:

- San Antonio hosts an annual Youth Summit that offers local high school students an opportunity to discuss important issues with their elected city leaders.
- Denver has partnered with the local League of Women Voters chapter to host candidate forums for area school board elections.
- Arlington holds frequent Overnight Lock-In events that not only serve as a fundraising tool, but also as a way to promote a positive message on issues facing local youth.
- Sacramento works with a local network TV affiliate on its "Youth of the Month Program" to identify a high-achieving teen whose accomplishments are noted in news programming during the month.
- Kansas City hosts an annual City Manager's Luncheon that recognizes high school juniors and seniors who have shown excellence in academic scholarship and community service.



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: November 2, 2010

SUBJECT: Childhood Obesity Summit

The Childhood Obesity Summit that is being organized by Council Member Laura Morrison is will be held on Tuesday, November 30th, 3:30 p.m. – 7 p.m., at the Millennium Youth Complex located at 1156 Hargrave Street (East Austin). This event has been placed on your calendar.

Schedule of Events

- There will be a "Pre-Fair" from 3:30 p.m. – 4 p.m.
- The summit officially begins at 4 p.m., with welcome and speaking remarks beginning at 4:30 p.m.
- You are one of five speakers on the program. You will have five (5) minutes to talk about your impressions on childhood obesity, especially as it relates to your mentee.
- After the speaking portion of the program, participants will be break into smaller groups to brainstorm on what the City of Austin can, and should, be doing to reduce the incidence of childhood obesity.
- CM Morrison is inviting the City's 50+ boards and commissions, including staff from various departments, to include:

Other confirmed dignitaries:

Council Member Laura Morrison
Texas State Representative Valinda Bolton
Sunset Valley Mayor Barbara Wilson
TxDOT Austin District Engineer Carlos Lopez
Sandy Baldridge, President of Oak Hill Association of Neighborhoods

Baray, Ray

From: Sandoval, Marie
Sent: Friday, January 21, 2011 11:06 AM
To: Baray, Ray
Cc: Edwards, Sue
Subject: Follow-up: Council One-on-Ones

Ray-

Attached below is a brief summary of the status of the Bradford-Nohra historic zoning case. Please let me know if we can provide any additional information.

On January 13th, Council closed the public hearing and voted 4 to 3, in favor of historic zoning for the Bradford-Nohra house. Council Members Cole, Morrison, Riley, and Spelman voted in favor; the Mayor, the Mayor Pro Tem and Council Member Shade voted against. Because the proposed zoning change is owner opposed, a super-majority of the Council is necessary to pass on more than one reading so the item passed on 1st reading only. The item is scheduled for 2nd reading on January 27th.

Marie Sandoval
Assistant City Manager's Office
(512) 974-3298

2/7/2011

Baray, Ray

From: Alexander, Jason
Sent: Friday, January 21, 2011 11:55 AM
To: Baray, Ray
Subject: FW: City Manager Follow-Up

Ray,

Per our convo, see below for FYI

Jason Alexander

From: Carter, David [mailto:David.Carter@ci.austin.tx.us]
Sent: Friday, January 21, 2011 10:54 AM
To: Alexander, Jason; Acevedo, Art
Cc: McDonald, Michael [APD]; Davila, Leander
Subject: Re: City Manager Follow-Up

Jason, one of the ideas we had been floating was to create a reserve police officer corp comprised of retired APD officers in good standing. One of the recommendations would be that staff city facilities needing armed security.

From: Alexander, Jason [mailto:Jason.Alexander@ci.austin.tx.us]
Sent: Friday, January 21, 2011 10:03 AM
To: Acevedo, Art; Carter, David
Cc: McDonald, Michael [APD]; Davila, Leander
Subject: FW: City Manager Follow-Up

Gentlemen,

Please see the following question from the City Manager on behalf of MPT Martinez. Could we have a response compiled and ready for review by Monday?

Thanks much

Jason Alexander

From: Baray, Ray
Sent: Friday, January 21, 2011 9:56 AM
To: Alexander, Jason
Subject: City Manager Follow-Up

Jason,

During the City Manager's 1:1 meeting with MPT Martinez this week, part of their discussion focused on City Hall

2/7/2011

Security, especially in light of the recent shooting in Tucson.

As a follow-up, the Manager would like to have the following question evaluated by APD:

The front and back door entrances on the first floor of City Hall are staffed by security guards that do not carry weapons. What would be the feasibility, as well as operational and fiscal considerations of placing an APD officer or Park Ranger at either or both entrances full-time? The Manager would like a recommendation that he can share with MPT Martinez at his meeting next Tuesday.

Let me know if you have any questions. Thanks!

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

Baray, Ray

From: Thedford, April
Sent: Tuesday, January 18, 2011 3:01 PM
To: Baray, Ray
Cc: Garza, Jason; Lumbreras, Bert; Hensley, Sara
Subject: Re: City Manager Follow-up

Ray,

Below is the information you requested for the City Manager's 1:1 with CM Morrison:

(1) Long-Range Parks Master Plan - CM Morrison wants to meet with Sara Hensley to discuss the possibility of developing interim park plans. She feels that if interim plans had been in place, contentious issues like the one involving disc golf might have been avoided. Sara Hensley and Assistant Director Kelly Snook will attend a meeting next week with CM Morrison to discuss the CM's concerns.

(2) Elisabet Ney Museum Wall - CM Morrison wants to meet with staff to understand why a consultant is needed to determine an action plan for Ney improvements;

In order to amend the Master Plan, we must prepare an amendment that will stand the rigor of examination by the Texas Historical Commission and the Department of the Interior, because they have already approved the Elisabet Ney Master Plan. Both entities have the authority to amend the designations for the Elisabet Ney Museum to take local significance into consideration. Mr. Sadowsky is familiar with the proposal of the stakeholders, and recommended that a third party authority on Landscape History be brought in to vet the recommendations of the stakeholders and prepare the amendment.

(3) Gazebo on Lady Bird Lake - CM Morrison wants to know if there is a maintenance plan for the gazebo. The long range maintenance plan for the Fannie Mae Davis Gazebo will be to maintain this facility at a Level 4, which is a comprehensive maintenance level at which buildings should be kept. Below are some aspects of a Level 4 facility maintenance plan.

1. Service response is within 2 weeks for routine requests.
2. Building users are satisfied with the maintenance service and are generally proud of the appearance and condition of the facility.
3. Emergency notifications are only 5 – 10% of all notifications.
4. Preventive maintenance is 50 – 70% vs. repair maintenance.
5. Work order backlog is kept below average for similar facilities.
6. Breakdown or emergency maintenance is usually due to unpredictable failure of equipment or components.
7. Illumination is clean and attractive.
8. Interior finishes and fixtures are in better than average condition for similar facilities.
9. Staffing levels meet short and long term maintenance needs.
10. Roof is watertight and finishes appear good.
11. Most sustainability plans and projects are in place and in use.
12. A Preventive Maintenance and work order management system are in use.

April L. Thedford

Program Coordinator - Office of the Director
Austin Parks & Recreation Department
200 South Lamar Blvd., Austin, TX 78704
P: (512) 974-6716 F: (512) 974-6703

2/7/2011



Please consider the environment before printing this email.

Baray, Ray

From: Sandoval, Marie
Sent: Friday, January 14, 2011 3:02 PM
To: Baray, Ray
Subject: FW: Council One-on-Ones

Ray-

With regard to a date for the grievance hearing, Jason Alexander spoke with AFD. A date has not yet been confirmed. By contract, the Association has ten days from the date of the letter (Jan 7th) to decide to go to arbitration. Still in that window. Jason will keep us posted. I conveyed this to Bobby Garza. Please let me know if we can provide any additional information. Thanks!

Marie Sandoval
Assistant City Manager's Office
(512) 974-3298

From: Sandoval, Marie
Sent: Wednesday, January 12, 2011 12:22 PM
To: Baray, Ray
Subject: Council One-on-Ones

Ray-

As discussed, the following items were on Sue's follow-up list for Council One-on-Ones:

1) Council Member Riley asked that we make sure we have staff on hand at the Council meeting who can address detailed questions related to the Park PUD. I spoke with Leah Bojo today to confirm that Greg Guernsey will be on hand and available to respond.

2) Council Member Spelman asked that the point person on staff contact his office to discuss the Park PUD. Jerry Rusthoven will contact the Council Member, as requested.

3) Mayor Pro Tem Martinez asked that we confirm whether or not the NOFA for the HUD/ BEDI Grant had been issued. Fred Evins forwarded an e-mail this morning to the Mayor Pro Tem confirming that it has not yet been issued. The Mayor Pro Tem also asked that we confirm the date for the Austin Firefighter's Association grievance hearing. Jason Alexander has reached out to the Chief's Office and will follow-up with that information.

Marie Sandoval
Assistant City Manager's Office
(512) 974-3298

Baray, Ray

From: Alexander, Jason
Sent: Thursday, January 13, 2011 1:29 PM
To: Baray, Ray
Cc: McDonald, Michael [APD]; Ochiltree, Alta
Subject: RE: City Manager Follow-Up

Ray,

The response below should address both questions 1a and 1b. This is also part of the back-up documentation for the RCA going to Council on the 27th. Please let me know if additional information is needed.

On November 28, 2010, the City received the Hearing Examiner's Award in the promotional bypass of AFD Captain Guy Groomer. The Hearing Examiner ruled that the Fire Chief did not have a valid reason to bypass Captain Groomer to the rank of Battalion Chief and ordered that he be promoted. At the current time, there are no Battalion Chief vacancies. As a result of this Award, the Fire Department has 34 Battalion Chiefs and only 33 Battalion Chief Positions.

In order to comply with the Hearing Examiner's Award, the Department is asking Council to increase the number of Battalion Chiefs by one and decrease the number of Firefighter positions by one. This Firefighter position is vacant. The Department intends to revisit the need for this additional Battalion Chief position at a later date and may ask Council to abolish it at that time.

This new Battalion Chief position will provide initial staffing for planning, research and deployment of the uniform project due to the anticipated closure of the City clothing store. Given the size, scope and complexity of this project, with 1084 firefighters and dozens of uniform items for each firefighter, an FTE will be necessary to guide this project to successful implementation.

The number of positions in the civil service classification of Battalion Chief in this ordinance is an increase of one (1) and a decrease of one (1) Firefighter position from the number in existence before the effective date of this ordinance.

This ordinance repeals Ordinance No. 20100913-006 adopted by Council on September 13, 2010 and establishes all positions in the civil service classifications of the Austin Fire Department. The numbers of positions in each classification are established as follows:

Assistant Chief 5
Division Chief 5
Battalion Chief 34
Captain 69
Lieutenant 177
Fire Specialist 196
Firefighter 598

Jason Alexander

From: Baray, Ray
Sent: Thursday, January 13, 2011 10:55 AM
To: Alexander, Jason
Cc: McDonald, Michael [APD]; Ochiltree, Alta
Subject: City Manager Follow-Up

2/7/2011

Jason,

During the City Manager's 1:1 with MPT Martinez yesterday, a couple of issues came up regarding the Fire Department:

(1) AFD Battalion Chief

- a. Why is AFD requesting the addition of another battalion chief?
- b. Also, can you provide some background on the classification issue involving the battalion chief?

(2) AFD Grievance Hearing

- a. Do you know when this is supposed to occur?

I need a written response to both questions that the Manager can share with the MPT. Thanks!

Ray Baray

Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us

Baray, Ray

From: Alexander, Jason
Sent: Thursday, January 13, 2011 12:40 PM
To: Baray, Ray
Cc: McDonald, Michael [APD]; Ochiltree, Alta
Subject: RE: City Manager Follow-Up

Ray,

I will get with Chief and get back to you on 1a and 1b. As for 2a, we do not yet know of a confirmed date. The City is waiting to hear from the Association. The Association has ten days by contract to decide (from the January 7th letter from the Chief) to go to arbitration.

Jason Alexander

From: Baray, Ray
Sent: Thursday, January 13, 2011 10:55 AM
To: Alexander, Jason
Cc: McDonald, Michael [APD]; Ochiltree, Alta
Subject: City Manager Follow-Up

Jason,

During the City Manager's 1:1 with MPT Martinez yesterday, a couple of issues came up regarding the Fire Department:

(1) AFD Battalion Chief

- a. Why is AFD requesting the addition of another battalion chief?
- b. Also, can you provide some background on the classification issue involving the battalion chief?

(2) AFD Grievance Hearing

- a. Do you know when this is supposed to occur?

I need a written response to both questions that the Manager can share with the MPT. Thanks!

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

2/7/2011

Baray, Ray

From: Sandoval, Marie
Sent: Wednesday, January 12, 2011 12:22 PM
To: Baray, Ray
Subject: Council One-on-Ones

Ray-

As discussed, the following items were on Sue's follow-up list for Council One-on-Ones:

- 1) Council Member Riley asked that we make sure we have staff on hand at the Council meeting who can address detailed questions related to the Park PUD. I spoke with Leah Bojo today to confirm that Greg Guernsey will be on hand and available to respond.
- 2) Council Member Spelman asked that the point person on staff contact his office to discuss the Park PUD. Jerry Rusthoven will contact the Council Member, as requested.
- 3) Mayor Pro Tem Martinez asked that we confirm whether or not the NOFA for the HUD/ BEDI Grant had been issued. Fred Evins forwarded an e-mail this morning to the Mayor Pro Tem confirming that it has not yet been issued. The Mayor Pro Tem also asked that we confirm the date for the Austin Firefighter's Association grievance hearing. Jason Alexander has reached out to the Chief's Office and will follow-up with that information.

Marie Sandoval
Assistant City Manager's Office
(512) 974-3298

2/7/2011



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: November 17, 2010

SUBJECT: Mayor Pro Tem Martinez 1:1 Follow-Up Items (November 16)

Item 20 (Salvation Army Contract) – in your discussion with MPT Martinez, there were some questions about this contract (1) particularly the differing dollar amounts listed in the posting language, which you asked staff to clarify; (2) you also wanted to know if future funding for this item is contingent on available funding.

Posting Language for Item 20

Approve negotiation and execution of a contract with THE SALVATION ARMY, Austin, TX to provide social services for homeless women and their dependent children in an amount not to exceed [REDACTED] for the period January 1, 2011 through September 30, 2013, with two 12-month extension options in an amount not to exceed [REDACTED] each, for a total contract amount not to exceed [REDACTED]. Funding in the amount of [REDACTED] is available in the Fiscal Year 2010-2011 Operating Budget of the Health and Human Services Department.

Staff Follow-Up:

(1) According to ACM Bert Lumbreras, the initial figure of \$4,638,466 represents the base part of the contract, a 33-month term from January 2011 to September 2013. The \$1,686,715 refers to the 12-month extension amount that is equivalent to the 33-month amount, divided by 33 and then multiplied by 12. There are also two 12-month extensions available under the contract. The total contract amount of \$8,011,896 is the amount of the base contract of 33 months plus the two 12-month extension amounts, if both extensions are exercised ($\$4,638,466 + [\$1,686,715 \times 2 = \$3,373,430] = \$8,011,896$). The \$1,265,036 is the amount that will be appropriated for the first nine months of the base contract, allocated from this year's fiscal year budget since the contract does not begin until January 2011. In summary, the proposed base contract with Salvation Army will run from January 2011 through September 2013. If you add the two one-year extensions, the contract would run through September 2015.

(2) This contract is contingent upon funding from the City budget each year, as is the case with all of the City's social service contracts.

Item 47 (Allied Waste Contract) – MPT Martinez had asked three questions pertaining to the proposed service contract with Allied Waste Services: (1) why is the City proposing such a contract with Allied, (2) could the City handle the refuse/recycling services stipulated in the

solicitation on its own, and (3) if not, did staff give any consideration to acquiring the equipment to do the work?

Staff Follow-Up: (from Solid Waste Services Director Bob Gedert)

(1) Why is City proposing a service contract with Allied?

The service provided through this contract has traditionally been serviced through private sector service providers (haulers). As the current contract expires November 30th, the contracted service was advertised through the Purchasing Office solicitation for bids IFB-BV No. SDC0158. Allied Waste was scored the highest bidder on an evaluation scoring matrix, and offered the lowest and best cost for the services to be provided. In addition, Allied is proposing a significant education campaign to teach employees at City facilities to embrace the concept of Zero Waste, generate less waste and increase recycling.

(2) Could the City handle the refuse/recycling services stipulated in the solicitation on its own?

The Solid Waste Services Department (SWS) does not provide these services since they do not have the type of equipment that is required to perform these services. The services currently provided from the SWS Department involves side-loaders and rear loaders – two types of vehicles that can service the 90 gallon Toter carts through the single-family curbside trash and recycling service. The type of equipment required to service these contracted City facilities involves front-loader and roll-off vehicles, 6 and 8 cubic yard metal dumpsters, 40 cubic yard roll-off containers, and a variety of compactor units. The City does not own this type of equipment. Utilizing the City cart service vehicles and equipment for these sites would be less cost efficient than the dumpster service currently utilized at these locations. Given the large waste generation at these locations, it is more cost efficient to utilize the private sector service.

(3) If not, did staff give any thought to acquiring the equipment to do the work?

The SWS Department could acquire the proper equipment and provide this service with its own staff. However, if the City was to provide the trash and recycling collection service rendered in this contract, it would take approximately one year to ramp up through equipment acquisition and personnel staffing. The initial capital investment to service these city site locations would involve the purchase of three trucks, several hundred dumpsters, and several compactors. The estimated front-end capital costs would be \$1,500,000. In addition, fuel, maintenance, staffing (3 drivers) and site education assistance would be needed on a five day service schedule throughout the year. If the capital cost were prorated for 10 years, the cost of full service to the contracted sites would be approximately \$600,000 per year. If the City Council approved this proposed level of service, the earliest the SWS could provide the service would be January 1, 2012.

Currently, the City has a respectful un-written agreement with the private service providers that delineates the service provided by the city as contrasted with the services provided by the private sector. If the City provided these services with its own staff and resources, it would expand its service into an area traditionally service through private haulers.

Recommended Action

City staff recommends approving the current proposed offer from Allied Waste Services as the most cost-effective option available to the City at this time. During the course of this three-year contract, the City could explore various cost options in providing this service at the conclusion of the three year term and report back to Council regarding future options.



MEMORANDUM

TO: Marc A. Ott, City Manager
FROM: Ray Baray, Assistant to the City Manager
DATE: October 11, 2010
SUBJECT: Mayor/Council 1:1 Follow-Up Items

Mayor Leffingwell

- (1) **Butler Park** - the Mayor had mentioned that his office (Mark Nathan) was working with ACM Rudy Garza on a funding initiative involving the park. The City Manager requested an update.

Staff Follow-Up: According to ACM Garza, this involves the use of the Rental Car Tax. He provided the Mayor and Mark Nathan all the necessary documentation. Additionally, he met with the Mayor last week and the Mayor indicated he was satisfied. Mayor Leffingwell understands that if the City repurposes the use of the rental car tax, it would require some unknown funding source to make up the loss to the Palmer Events Center. The Mayor said he was fine with this, but asked ACM Garza to follow up with Mark Nathan. The information that was provided to the Mayor confirmed that the use of the funds is entirely legal. ACM Garza does not believe there are any other viable options at this point.

- (2) **Austin Water Utility** - the Mayor had asked about lawsuits involving flexible permits at the Water Department. The City Manager requested an update on the lawsuits, if any.

Staff Follow-Up: ACM Garza was not aware of any lawsuits involving flexible permits, but said that the would visit with Greg Meszaros about this.

- (3) **WTP 4 - Chapter 26 Hearing** - is this hearing taking place in December? Also, the Mayor mentioned something about a "vulnerability assessment."

Staff Follow-Up: According to ACM Garza, the Chapter 26 Hearing will take place in December. However, prior to Council consideration, staff will be presenting this item to the Parks Board subcommittee as well as the full Parks Board and Environmental Board in November. Although the use of the PARD site for the shaft is temporary, it still requires a Chapter 26 hearing because of the temporary use. AWU is paying approximately \$200K to PARD as mitigation funds,

although the City will also be restoring the site to previous (better) conditions. Staff expects the same type of opposition as it has been previously receiving on WTP4 during each of the public meetings.

Council Member Riley

(1) Shoal Creek Trail Project (Gap) - CM Riley has inquired about a gap in the Trail, approximately 1/2 block long, that cuts into the North/South bike route. He said it's been a problem for the last 30 years, that he knows of. Riley requested

Staff Follow-Up: Bert Lumbreras is working with Sara Hensley to provide a new updated timeline on this project.

Let me know if I can provide you with any additional information. Thanks!



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: October 26, 2010

SUBJECT: CM Cole 1:1 Follow-Up Items

(1) Terry Keel – Executive Director, Texas Facility Commission

No follow-up assignment.

(2) Convention Center Hotel Project – at your last meeting, CM Cole had mentioned that the Hilton Corporation had expressed an interest in a new hotel. You wanted to follow-up with Sue Edwards.

Staff Follow-Up:

According to Sue Edwards, Hilton officials met with CM Cole recently, not only to express their interest in a second convention hotel in downtown Austin, but also to indicate that their preferred site would be the vacant lot just east of the Convention Center. However, CM Cole prefers the site where the residential tower near the Four Seasons Hotel sits. Cole prefers this location because while the residential tower generates no property tax revenue for the City, a new hotel located there would generate both property tax revenue as well as more funds for the TIF.

Further, there is a legal issue involved. City legal staff believes [REDACTED]

[REDACTED]



MEMORANDUM

TO: Marc A. Ott, City Manager

FROM: Ray Baray, Assistant to the City Manager

DATE: October 12, 2010

SUBJECT: Mayor Leffingwell 1:1 Follow-Up Items

- (1) Butler Park** – the Mayor had mentioned that his office (Mark Nathan) was working with ACM Rudy Garza on a funding initiative involving the park. The City Manager requested an update.

Staff Follow-Up:

According to ACM Garza, this involves the use of the Rental Car Tax. He provided the Mayor and Mark Nathan all the necessary documentation. Additionally, he met with the Mayor last week and the Mayor indicated he was satisfied. Mayor Leffingwell understands that if the City repurposes the use of the rental car tax, it would require some unknown funding source to make up the loss to the Palmer Events Center. The Mayor said he was fine with this, but asked ACM Garza to follow up with Mark Nathan. The information that was provided to the Mayor confirmed that the use of the funds is entirely legal. ACM Garza does not believe there are any other viable options at this point.

- (2) Austin Water Utility** – the Mayor had asked about lawsuits involving flexible permits at the Water Department. The City Manager requested an update on the lawsuits, if any.

Staff Follow-Up:

ACM Garza was not aware of any lawsuits involving flexible permits, but said that he would visit with Greg Meszaros about this and report back.

- (3) WTP 4 – Chapter 26 Hearing** – is this hearing taking place in December? Also, the Mayor mentioned something about a "vulnerability assessment."

Staff Follow-Up:

According to ACM Garza, the Chapter 26 Hearing will take place in December. However, prior to Council consideration, staff will be presenting this item to the Parks Board subcommittee as well as the full Parks Board and Environmental Board in November. Although the use of the PARD site for the shaft is temporary, it still requires a Chapter 26 hearing because of the

temporary use. AWU is paying approximately \$200K to PARD as mitigation funds, although the City will also be restoring the site to previous (better) conditions. Staff expects the same type of opposition as it has been previously receiving on WTP4 during each of the public meetings. As for the vulnerability or risk assessment issue, Rudy did not anything about this, but said that he would follow-up with AWU staff.

(4) Incentives for Film/TV – the Mayor had expressed concern that Austin has been losing film/TV industry business due to a lack of incentives. Research was requested on film/TV incentives recently adopted by the Michigan Legislature.

Staff Follow-Up:

Attached is a memo from EGRSO Director Kevin Johns that discusses the incentives for film and media productions in the state of Michigan, including some information on the “media production credit” that has been described as the state’s most important film incentive.



MEMORANDUM

TO: Marc A. Ott, City Manager
FROM: Ray Baray, Assistant to the City Manager
DATE: October 29, 2010
SUBJECT: Mayor Leffingwell 1:1 Follow-Up Items

- (1) **Pease Park** – in your meeting with the Mayor, he thought that a decision had been made to close the Park, including a comment that neighbors do not want activity there. Provided below is a staff update.

Staff Follow-Up:

ACM Bert Lumbreras met with Mayor Leffingwell and Nancy Williams yesterday (October 28) to discuss the eventual closure of the Park.

As a bit of background...a couple of weeks ago, ACM Lumbreras, PARD Director Sara Hensley and other PARD staff met with the Mayor, and everyone at that meeting agreed on a strategy to close Pease Park. The Mayor had said that he was going to introduce an 'Item From Council' at an upcoming Council meeting and would work with other Council Members to direct the City Manager to close the disc golf area of the park. But according to Lumbreras, the Mayor changed his mind and is now asking staff to proceed forward. In the meantime, Lumbreras has heard that there are concerns from a couple of Council Members (he did not specify which ones) about the park closure, and he was going to call them later today. Lumbreras does not believe there is strong opposition to the park closure, but the din is coming from a handful of vocal disc golfers.

Lumbreras told me that he does not have a problem moving this forward. PARD staff had advised the disc golf community that Pease Park would likely close at the end of December. However, with the Mayor now advising staff to move forward, the park is likely to close earlier. Meanwhile, PARD staff had committed to identifying an alternative location, which has not been firmed up yet. Staff does have a site in mind – the property adjacent to Roy G. Guerrero Park – but they still have one more public meeting before this location is considered fully vetted.

Bottom line, ACM Lumbreras has asked Sarah Hensley to draft a memo that will be distributed to the Mayor & Council next week that will: (1) inform the Council that the disc

golf area at Pease will close earlier than had been originally planned; (2) that staff is working on identifying an alternate location, notably the property adjacent to Guerrero Park; and (3) that staff wants to use the extra time to begin the planting and revegetation of Pease Park (which seems to be of key interest to the Mayor).

Items 2 & 3

No follow-up assignment.

Let me know if you have any questions or would like further information.

Baray, Ray

From: Thedford, April
Sent: Monday, December 27, 2010 1:12 PM
To: Baray, Ray
Subject: RE: City Manager Follow-Up - Disc Golf
Attachments: Roy G Guerrero Colorado River Park Status Update 12-22-2010.pdf

Ray,
The attached memo was sent to Mayor and Council on December 22. It addresses the concerns CM Morrison raised with Marc on December 15th. If you have any questions please let me know.
Thanks,
April

From: Hensley, Sara
Sent: Wednesday, December 15, 2010 12:45 PM
To: Baray, Ray
Cc: Lumbreras, Bert; Garza, Jason; Thedford, April; Delgado, Susan; Snook, Kelly; Stump, Marty
Subject: Re: City Manager Follow-Up - Disc Golf

Ray: We will develop a response. Sara
Kelly: Please prepare response. Thank you, Sara
Sent from my iPhone

On Dec 15, 2010, at 12:11 PM, "Baray, Ray" <Ray.Baray@ci.austin.tx.us> wrote:

Sara,

The City Manager met with CM Morrison today, and the disc golf issue came up. She would like a status update memo. In your response, can you address a specific question that she asked: is there anything that will eventually require Council approval if the disc golf course is moved from Pease Park to Roy Guerrero Park.

Can you please provide an update so the Manager can share it with CM Morrison. Thank you!

Ray Baray
Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us

Baray, Ray

From: Sandoval, Marie
Sent: Monday, December 20, 2010 2:56 PM
To: Baray, Ray
Subject: Historic Data

Ray-

I spoke with historic staff. January 12th is the date of the next committee meeting. Historic staff has committed to providing all outstanding data at that time. Please let me know if we can provide any additional information. Thank you!

Marie Sandoval
Assistant City Manager's Office
(512) 974-3298

2/7/2011

Baray, Ray

From: Morgan, Anne
Sent: Wednesday, December 15, 2010 5:40 PM
To: Baray, Ray
Cc: Farhadi, Meitra
Subject: RE: Executive Session Items
Attachments: McMurtry case update (2).doc

Ray: Thanks for sending the e-mail. I have attached a brief outline of the lawsuit involving the Allendale neighborhood. (These are Assistant City Attorney Meitra Farhadi's notes; just a "cheat sheet" for us.) As I mentioned, we are supposed to brief CM Morrison on Monday or Tuesday next week about the case.

I am unfamiliar with the Emerald's situation, but will track it down and get back with you. Anne Morgan

From: Baray, Ray
Sent: Wednesday, December 15, 2010 4:29 PM
To: Morgan, Anne
Subject: Executive Session Items

Anne,

The City Manager met with CM Morrison today, and she mentioned that she's been trying to get a couple of Executive Session items scheduled for a briefing. Can you provide a brief update on the status of these lawsuits, including when Law plans to bring them to Council:

(1) Allendale lawsuit - this one involves a subdivision lawsuit...that's all I was given on this one.

(2) Emeralds - this one involves a variance that wasn't granted, so the owners of Emerald's (I believe it's a boutique clothing store) sued the City and the neighborhood.

Thanks!

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

Baray, Ray

From: Weis, Larry [Larry.Weis@austinenergy.com]
Sent: Tuesday, December 14, 2010 9:59 AM
To: Baray, Ray
Subject: Re: City Manager Follow-Up - Generation Plan/Affordability Matrix

Yes. Jan 27

From: Baray, Ray <Ray.Baray@ci.austin.tx.us>
To: Weis, Larry
Sent: Tue Dec 14 09:43:14 2010
Subject: RE: City Manager Follow-Up - Generation Plan/Affordability Matrix

Larry,

One question: So the item that was initially posted on this Thursday's Council agenda - seeking approval of the Generation Plan - has been postponed, right? And I guess you'll be bringing that back up after Council approves staff's affordability goal recommendation?

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

From: Weis, Larry [mailto:Larry.Weis@austinenergy.com]
Sent: Monday, December 13, 2010 5:41 PM
To: Baray, Ray
Subject: RE: City Manager Follow-Up - Generation Plan/Affordability Matrix

The Mayor directed AE to work on this forecast as was discussed and come back the end of January with a plan to assure that meeting the 35% goal can be done with some predictability to the impacts on consumer rates, with the year in which we meet the goal "flexible". Using the term "matrix" makes no sense so you can lose that term Ray. I would expect a CMO presentation mid January. Let me know if you need any more clarity.

From: Baray, Ray [mailto:Ray.Baray@ci.austin.tx.us]
Sent: Monday, December 13, 2010 4:51 PM
To: Weis, Larry
Cc: Bonee, Lucy
Subject: City Manager Follow-Up - Generation Plan/Affordability Matrix

Larry,

The City Manager wanted me to ask you: at last week's meeting, did the City Council direct the City Manager to move forward with the generation plan, or did it punt until such time as the affordability matrix has been completed? I don't remember. Can you shed some light. Thanks!

2/7/2011

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

Baray, Ray

From: Lazarus, Howard
Sent: Tuesday, December 14, 2010 8:20 AM
To: Baray, Ray
Subject: FW: City Manager Follow-Up - Street Failure at the Mueller Development

Ray:

The affected streets are not under warranty.

Howard S. Lazarus, PE

Director, Public Works Department
City of Austin
505 Barton Springs Road, Suite 1300
Austin, TX 78704

Telephone: 512-974-7190
Fax: 512.974.7084
E-mail: howard.lazarus@ci.austin.tx.us

From: Lazarus, Howard
Sent: Monday, December 13, 2010 7:21 PM
To: Baray, Ray
Subject: RE: City Manager Follow-Up - Street Failure at the Mueller Development

Ray:

We have a meeting scheduled with the contractor (Rodman) tomorrow along with its surety and insurance agent (who are flying in from out of town). Our position is the streets were not constructed properly and failed due to latent defects. Therefore the City is entitled to reimbursement for its repair costs. We should be able to provide an update prior on these discussions prior to the Council meeting on Thursday. I confirm the warranty situation for you in the morning.

Howard S. Lazarus, PE

Director, Public Works Department
City of Austin
505 Barton Springs Road, Suite 1300
Austin, TX 78704

Telephone: 512-974-7190
Fax: 512.974.7084
E-mail: howard.lazarus@ci.austin.tx.us

From: Baray, Ray
Sent: Monday, December 13, 2010 4:17 PM

2/7/2011

To: Lazarus, Howard
Cc: Goode, Robert; Golbabai, Justin
Subject: City Manager Follow-Up - Street Failure at the Mueller Development

Howard,

The City Manager met with CM Spelman this afternoon, and a question came up about Item 17 on the Council's agenda this Thursday involving the premature street failure in the Mueller Development.

Are the affected streets still under the warranty period? And do you know if the City has any legal recourse to go after the original street contractor?

Can you provide a response so that I can brief the Manager. Thanks!

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

Baray, Ray

From: Lazarus, Howard
Sent: Monday, December 13, 2010 7:21 PM
To: Baray, Ray
Subject: RE: City Manager Follow-Up - Street Failure at the Mueller Development

Ray:

We have a meeting scheduled with the contractor (Rodman) tomorrow along with its surety and insurance agent (who are flying in from out of town). Our position is the streets were not constructed properly and failed due to latent defects. Therefore the City is entitled to reimbursement for its repair costs. We should be able to provide an update prior on these discussions prior to the Council meeting on Thursday. I confirm the warranty situation for you in the morning.

Howard S. Lazarus, PE

Director, Public Works Department
City of Austin
505 Barton Springs Road, Suite 1300
Austin, TX 78704

Telephone: 512-974-7190
Fax: 512.974.7084
E-mail: howard.lazarus@ci.austin.tx.us

From: Baray, Ray
Sent: Monday, December 13, 2010 4:17 PM
To: Lazarus, Howard
Cc: Goode, Robert; Golbabai, Justin
Subject: City Manager Follow-Up - Street Failure at the Mueller Development

Howard,

The City Manager met with CM Spelman this afternoon, and a question came up about Item 17 on the Council's agenda this Thursday involving the premature street failure in the Mueller Development.

Are the affected streets still under the warranty period? And do you know if the City has any legal recourse to go after the original street contractor?

Can you provide a response so that I can brief the Manager. Thanks!

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

2/7/2011

Baray, Ray

From: Weis, Larry [Larry.Weis@austinenergy.com]
Sent: Monday, December 13, 2010 5:41 PM
To: Baray, Ray
Subject: RE: City Manager Follow-Up - Generation Plan/Affordability Matrix

The Mayor directed AE to work on this forecast as was discussed and come back the end of January with a plan to assure that meeting the 35% goal can be done with some predictability to the impacts on consumer rates, with the year in which we meet the goal "flexible". Using the term "matrix" makes no sense so you can lose that term Ray. I would expect a CMO presentation mid January. Let me know if you need any more clarity.

From: Baray, Ray [mailto:Ray.Baray@ci.austin.tx.us]
Sent: Monday, December 13, 2010 4:51 PM
To: Weis, Larry
Cc: Bonee, Lucy
Subject: City Manager Follow-Up - Generation Plan/Affordability Matrix

Larry,

The City Manager wanted me to ask you: at last week's meeting, did the City Council direct the City Manager to move forward with the generation plan, or did it punt until such time as the affordability matrix has been completed? I don't remember. Can you shed some light. Thanks!

Ray Baray
Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us

2/7/2011

Baray, Ray

From: Meszaros, Greg [Greg.Meszaros@ci.austin.tx.us]
Sent: Monday, December 13, 2010 4:56 PM
To: Baray, Ray; Garza, Rudy
Cc: Washington, Mark; Beekley, Taja; Madrigal, Devon
Subject: RE: City Manager Follow-Up - Item 41 (Cultural Competency Training)

Yes, the Cultural Competency training is one the training elements we crafted in response to matters that came forth during the MGT investigation. We have completed this training for all executives, managers and supervisors. This request for additional funding will allow us to extend the training to the rest of our workforce.

From: Baray, Ray [mailto:Ray.Baray@ci.austin.tx.us]
Sent: Monday, December 13, 2010 4:32 PM
To: Garza, Rudy
Cc: Washington, Mark; Meszaros, Greg; Beekley, Taja
Subject: City Manager Follow-Up - Item 41 (Cultural Competency Training)

Rudy,

The City Manager met with CM Spelman this afternoon, and a question came up about Item 41 (cultural competency training services) on Thursday's Council agenda. Is this item in response to the MGT investigation that was released earlier this year involving Austin Water?

Can you let me know...including any pertinent information that would be helpful in responding to CM Spelman's question. Thanks!

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

Baray, Ray

From: Sandoval, Marie
Sent: Wednesday, November 17, 2010 3:16 PM
To: Baray, Ray
Cc: Edwards, Sue
Subject: One-on-One Follow-up
Attachments: 11-16-10 CMO Update.doc

Ray-

Council follow-up attached. I will walk over two attachments. I will forward a summary of the community gardens/ urban farms issue as soon as we receive it, EOB at the latest.

Marie Sandoval
Assistant City Manager's Office
(512) 974-3298

2/7/2011

Baray, Ray

From: Beekley, Taja
Sent: Wednesday, November 17, 2010 1:41 PM
To: Baray, Ray
Cc: Garza, Rudy
Subject: RE: November 18th Agenda - Items 2 & 3 Relating to Formula 1

Ray, please see responses below:

(1) The Formula 1 United States Austin, Texas development is proposed to include the facilities necessary for the Formula 1 race course, as well as ancillary development such as commercial retail, restaurant and hotel. Land Accelerator, LLC (the "OWNER") requested that the Austin Water Utility ("AWU") provide water and wastewater utility services to the Property as proposed in Service Extension Request No. 2955 and 2956. The Property is within the Council approved Impact Fee Boundary, Utility Service Area, City of Austin Water and Wastewater Certificate of Convenience and Necessity (CCN) area, the Desired Development Zone and the Dry Creek Watershed.

In accordance with Chapter 25-9 of the City Code, the City has asked the Owner to oversize the water and wastewater lines in order to provide service for future growth in the area in accordance with City of Austin long range planning goals. Under the proposed agreement, the City will reimburse the Owner in accordance with the applicable provisions of Chapter 25-9 of the City Code for costs incurred to construct oversized water and wastewater improvements.

The owner will construct all improvements at their cost and, after approval of construction, dedicate the facilities to the City for ownership, operation, and maintenance. The City will reimburse the Owner for costs of the oversized 24 and 36 inch water mains and appurtenances up to an amount not to exceed \$5,373,734.00 and for costs of the oversized 30-inch gravity wastewater main and appurtenances up to an amount not to exceed \$8,126,619.00. These not to exceed amounts include the soft cost for engineering and project management in an amount not to exceed 15% of the constructions costs. The Owner will bear all costs for financing, interest, fiscal security, accounting, insurance, inspections, permitting, easement acquisition and legal services associated with the project.

(2) We are not aware of any impact to State Funding due to the City's SER reimbursement.

Let me know, if you need additional information. Thanks!

From: Baray, Ray
Sent: Tuesday, November 16, 2010 4:24 PM
To: Garza, Rudy
Cc: Beekley, Taja
Subject: November 18th Agenda - Items 2 & 3 Relating to Formula 1

Rudy,

The City Manager met with CM Spelman yesterday and part of their discussion involved Items 2 & 3 on Thursday's Council agenda relating to Formula 1. CM Spelman wanted to know (1) the breakdown of utility infrastructure costs for the developers versus the City; and (2) will these costs have an impact on future state funding?

Ray Baray
Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us

2/7/2011

Baray, Ray

From: Gedert, Bob
Sent: Tuesday, November 16, 2010 4:25 PM
To: Baray, Ray
Cc: Goode, Robert; Moreno, Annette
Subject: RE: City Manager Follow-Up - November 18th Council Agenda - Item 47
Attachments: Council Item 47.doc

Ray,

based on our discussion, attached is a first draft of a written response.
Let me know if this is sufficient in addressing the questions.

From: Baray, Ray
Sent: Tuesday, November 16, 2010 11:39 AM
To: Gedert, Bob
Cc: Goode, Robert; Moreno, Annette
Subject: City Manager Follow-Up - November 18th Council Agenda - Item 47
Importance: High

Bob,

The City Manager met with the Mayor Pro Tem earlier today and their discussion involved Item 47 on Thursday's Council agenda involving Allied Waste Services.

The Mayor Pro Tem wanted to know:

- (1) why the City was contracting with Allied,
- (2) couldn't the City handle the refuse/recycling services stipulated in the solicitation on its own,
- (3) and if not, did staff give any thought to acquiring the equipment to do the work.

The City Manager wanted me to work with you on providing a response to the Mayor Pro Tem's questions that the City Manager can share with him, ideally, before Thursday's Council meeting. If you have any questions, just let me know. Thanks!

Ray Baray
Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us

2/7/2011

Baray, Ray

From: Goode, Robert
Sent: Tuesday, November 16, 2010 3:24 PM
To: Baray, Ray; Spillar, Rob
Subject: Re: City Manager Follow-Up - Downtown Parking Resolution (Item 56) & Regional Transportation Group

We've already briefed Marc on an idea for 2. I need to connect w/Marc and remind him about it.

From: Baray, Ray
Sent: Tuesday, November 16, 2010 03:02 PM
To: Spillar, Rob
Cc: Goode, Robert
Subject: City Manager Follow-Up - Downtown Parking Resolution (Item 56) & Regional Transportation Group

Rob,

Two items:

(1) The City Manager met with MPT Martinez this morning and part of their discussion involved Item 56 on this Thursday's Council agenda (see attached) involving the UTC, the Downtown Commission and recommendations for downtown parking.

The City Manager would like to know if you or Robert have any reaction to what's being proposed? Are you okay with it? Why or why not? Can you provide me with a written response. I'll need it by tomorrow afternoon.

(2) The City Manager would like for you and Robert to develop some conceptual ideas/plan for developing a regional transportation group that he can bring up with the Mayor at his next 1:1. Can you provide something by the end of this week?

Call or email if you have any questions. Thanks!

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

Baray, Ray

From: Garza, Rudy
Sent: Tuesday, October 12, 2010 8:49 AM
To: Baray, Ray
Cc: Beekley, Taja
Subject: RE: City Manager Follow-Up

That does not ring a bell. I will ask staff

From: Baray, Ray
Sent: Tuesday, October 12, 2010 8:40 AM
To: Garza, Rudy
Cc: Beekley, Taja
Subject: RE: City Manager Follow-Up

Rudy,

With respect to the Chapter 26 hearing, is there any issue that pertains to a vulnerability assessment? The Mayor asked the City Manager about it, and I'm not sure how this ties into the hearing process. But that's all I have to go on.

Thanks for your help with this.

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

From: Garza, Rudy
Sent: Monday, October 11, 2010 2:10 PM
To: Baray, Ray
Cc: Beekley, Taja
Subject: RE: City Manager Follow-Up

1) This is related to Rental Car Tax. I have provided the Mayor and Mark Nathan all the necessary documentation. I met with the Mayor last week and he indicated he was satisfied. He understands that if we repurpose the use of the rental car tax it would require some unknown funding source to make up the loss to PEC. Mayor said he was fine but for me to follow up with Mark Nathan. The information I provided the Mayor confirmed the use of the funds is entirely legal. I do not believe there is any viable options at this point.

2) Not sure what this is about. I will check and get back to you.

3) The Chapter 26 Hearing will take place in December. Prior to Council we will be presenting to the Parks Board subcommittee as well as the full Parks Board and Environmental Board. Although the use of the PARD site for the shaft is temporary, it still requires a Chapter 26 hearing because of the temporary use. AWU is paying approximately \$200k to PARD as mitigation funds, although we will also be restoring the site to previous (better) conditions) We expect the same type of opposition we have been previously receiving on WTP4 during each of the public meetings.

2/7/2011

From: Baray, Ray
Sent: Monday, October 11, 2010 1:57 PM
To: Garza, Rudy
Cc: Beekley, Taja
Subject: City Manager Follow-Up

Rudy,

The City Manager wanted me to visit with you about the following three items that came up during his 1:1 with Mayor Leffingwell last week:

- (1) **Butler Park** - the Mayor had mentioned that his office (Mark Nathan) was working with you on a funding initiative. Can you provide an update on the latest?
- (2) **Austin Water Utility** - the Mayor had mentioned something about lawsuits involving flexible permits. Are there actual lawsuits, and if so, can you give a brief update on each one?
- (3) **WTP 4 Chapter 26 Hearing** - is this hearing taking place in December, as the Mayor has been told? Also, the Mayor mentioned something about a "vulnerability assessment." Can you provide details? Any other pertinent information that the City Manager should be aware of?

Ray Baray
*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

Baray, Ray

From: Garza, Rudy
Sent: Monday, October 11, 2010 2:10 PM
To: Baray, Ray
Cc: Beekley, Taja
Subject: RE: City Manager Follow-Up

- 1) This is related to Rental Car Tax. I have provided the Mayor and Mark Nathan all the necessary documentation. I met with the Mayor last week and he indicated he was satisfied. He understands that if we repurpose the use of the rental car tax it would require some unknown funding source to make up the loss to PEC. Mayor said he was fine but for me to follow up with Mark Nathan. The information I provided the Mayor confirmed the use of the funds is entirely legal. I do not believe there is any viable options at this point.
- 2) Not sure what this is about. I will check and get back to you.
- 3) The Chapter 26 Hearing will take place in December. Prior to Council we will be presenting to the Parks Board subcommittee as well as the full Parks Board and Environmental Board. Although the use of the PARD site for the shaft is temporary, it still requires a Chapter 26 hearing because of the temporary use. AWU is paying approximately \$200k to PARD as mitigation funds, although we will also be restoring the site to previous (better) conditions) We expect the same type of opposition we have been previously receiving on WTP4 during each of the public meetings.

From: Baray, Ray
Sent: Monday, October 11, 2010 1:57 PM
To: Garza, Rudy
Cc: Beekley, Taja
Subject: City Manager Follow-Up

Rudy,

The City Manager wanted me to visit with you about the following three items that came up during his 1:1 with Mayor Leffingwell last week:

- (1) **Butler Park** - the Mayor had mentioned that his office (Mark Nathan) was working with you on a funding initiative. Can you provide an update on the latest?
- (2) **Austin Water Utility** - the Mayor had mentioned something about lawsuits involving flexible permits. Are there actual lawsuits, and if so, can you give a brief update on each one?
- (3) **WTP 4 Chapter 26 Hearing** - is this hearing taking place in December, as the Mayor has been told? Also, the Mayor mentioned something about a "vulnerability assessment." Can you provide details? Any other pertinent information that the City Manager should be aware of?

Ray Baray
Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us

2/7/2011

Baray, Ray

From: Lumbreras, Bert
Sent: Friday, October 29, 2010 11:49 AM
To: Baray, Ray
Cc: Garza, Jason; Hensley, Sara
Subject: RE: City Manager Follow-Up Regarding Pease Park

Ray,

I met with the Mayor and Nancy yesterday about this issue.

A couple of weeks ago, Sara, her staff and I met with the Mayor and we had agreed on a strategy to close Pease Park. He was going to do an Item from Council and work with other Council offices to direct us to close the disc golf area in Pease park. It appears he has changed his mind now and is asking staff to proceed forward which is what I believe he visited with Marc about and mentioned to me in our meeting. I told him we had heard there were concerns on the other end from a couple of Council offices so we are checking to see if any issues with them. In checking with these offices, I do not think we have real strong opposition but probably a handful of golfers who will make some noise.

In large part, staff does not have a problem moving this forward. We had advised the disc golfers we anticipated closely it down by the end of December and now we would be changing that if closed earlier. Also, we had committed to identifying an alternative location which has not been totalling firmed up. We do have one site in mind which is an adjacent property next to Roy G. Guerrero Park but we still have one more public meeting to fully vet it out.

Bottom line, I will get with Sara to work on a memo to get out to Council next week to move up the closure of the disc golf area at Pease, communicate we are working hard on identifying another location and exploring the property next to Roy G. as possible but not yet definite and take advantage of this time to begin the planting and revegetation period which seems to be a key interest of the Mayor.

Bert

From: Baray, Ray
Sent: Thursday, October 28, 2010 11:36 AM
To: Lumbreras, Bert
Cc: Garza, Jason
Subject: City Manager Follow-Up Regarding Pease Park

Bert,

The City Manager met with the Mayor earlier this week, and the Mayor mentioned that he thought a decision had been made to close Pease Park. Also he said something about neighbors in the area not wanting activity going on in the park.

The City Manager asked me to visit with you about the Pease Park situation. Can you provide an update. I need it before the City Manager's meeting with the Mayor next Monday (November 1). Thanks!

Ray Baray
Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us

2/7/2011

Baray, Ray

From: Sandoval, Marie
Sent: Thursday, October 21, 2010 12:19 PM
To: Baray, Ray
Subject: FW: Film Incentives Question from Mayor Leffingwell
Attachments: Michigan_Film_Incentives (2) (2).doc

Electronic version, though still not dated.

Marie Sandoval
Assistant City Manager's Office
(512) 974-3298

From: Baray, Ray
Sent: Tuesday, October 12, 2010 5:05 PM
To: Johns, Kevin
Cc: Edwards, Sue; Sandoval, Marie
Subject: Film Incentives Question from Mayor Leffingwell

Kevin,

The City Manager met with the Mayor yesterday, and the Mayor seemed a bit concerned that Austin might be losing film industry business to cities in other states.

Apparently, he heard that the Michigan Legislature recently adopted some legislation that broadened the state's film incentives, resulting in more movies/documentaries, etc. being filmed there.

As a follow-up from that conversation, the City Manager would like for your department to research and prepare a memo that outlines the range of incentives the Michigan Legislature put in place. If possible, he'd like to have something to share with the Mayor before he meets with him again late next week.

If you have any questions, please do not hesitate to contact me. Thanks!

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*

Baray, Ray

From: Baray, Ray
Sent: Tuesday, October 12, 2010 5:05 PM
To: Johns, Kevin
Cc: Edwards, Sue; Sandoval, Marie
Subject: Film Incentives Question from Mayor Leffingwell

Kevin,

The City Manager met with the Mayor yesterday, and the Mayor seemed a bit concerned that Austin might be losing film industry business to cities in other states.

Apparently, he heard that the Michigan Legislature recently adopted some legislation that broadened the state's film incentives, resulting in more movies/documentaries, etc. being filmed there.

As a follow-up from that conversation, the City Manager would like for your department to research and prepare a memo that outlines the range of incentives the Michigan Legislature put in place. If possible, he'd like to have something to share with the Mayor before he meets with him again late next week.

If you have any questions, please do not hesitate to contact me. Thanks!

Ray Baray

*Assistant to the City Manager
City Manager's Office - City of Austin
P: (512) 974-2435
F: (512) 974-2833
ray.baray@ci.austin.tx.us*