

**Public Safety Committee  
MINUTES****REGULAR MEETING  
May 26, 2015**

The Public Safety Committee convened in a regular meeting on Tuesday, May 26, 2015 at 301 W. Second St. in Austin, Texas.

**CALL TO ORDER:**

Chair Zimmerman called the Board Meeting to order at 3:13 p.m.

**COMMITTEE MEMBERS IN ATTENDANCE:**

Don Zimmerman, Chair; Ora Houston; Leslie Pool

**COMMITTEE MEMBERS ABSENT:**

Gregorio Casar, Vice-Chair

**1. APPROVAL OF MINUTES**

The Committee approved the minutes of the meeting on April 27, 2015 by a unanimous vote.

**2. CITY STAFF, CITY OF AUSTIN MUNICIPAL JUDGE, AND CITY OF AUSTIN CHIEF PROSECUTOR BRIEFINGS REGARDING NAMING A NEW PERMANENT CLERK TO REPLACE RETIRING MUNICIPAL CLERK REBECCA STARK, AND POSSIBLE RESOLUTION DISCUSSING GOVERNANCE AND MANAGEMENT OF COURT PERSONNEL UNDER GOVERNMENT CODE CHAPTER 30, SEC 30.00009 (C) AND (D).**

Joya Hayes, Interim Director of the Human Resources Department (HRD) introduced Sonya Alexander-Harry, Recruiter with HRD, and provided a profile and an updated copy of the profile based on feedback received and a copy of the job description. Ms. Alexander-Harry provided a timeline and reviewed key milestones and tasks. A detailed recruitment profile can be found at <http://www.austintexas.gov/courtclerk>

The committee will be handling the interviews as a group. Chair Zimmerman asked when the questions will be available to review and how they will identify questions. HRD will provide the questions in two to three weeks to Public Safety Committee Members Committee Members for their review. Most questions will be behavioral based, but also technical questions for working in a court-type operation. Ms. Alexander-Harry will be providing a weekly update to the Committee. HRD will look at competencies that have already been identified for Executives in the City of Austin as well as what the hiring authorities have identified.

Downtown Austin Community Court Administrator Judge Coffey, answered questions regarding the position. Judge Coffey said he believes they answered most questions at the last meeting, but he is happy to answer any additional questions. Chair Zimmerman stated that they had added that the Clerk works under the direction of the municipal judge and Judge Coffey said it is under the presiding judge.

Chair Zimmerman asked if there is any detailed information in the Downtown Austin Community Court. Judge Coffey said that it is separate because the Court Administrator is hired by the Executive Branch,

opposed to being appointed by the Legislative Branch. In normal court circumstances that is how the hierarchy is configured. The Court Administrator and Judge Coffey do work together, but as far as a long term fix, that is probably something that should be done.

Associate Judge Mitch Soloman asked if they would like to have Judge Statman available or to be there with this Committee to observe during the interviews. Chair Zimmerman confirmed that she would not have a vote, however all Committee Members agreed that it would be beneficial for her to attend interviews and be there to observe and ask questions.

### **3. DISCUSSION AND POSSIBLE ACTION ON AN ORDINANCE CREATING A CAMERA-ENFORCED CIVIL OFFENSE FOR ILLEGALLY PASSING A SCHOOL BUS.**

John Steiner, Senior Attorney with City of Austin Law Department provided an overview of this item.

He advised the Committee that a school district cannot create an ordinance. The draft created for this ordinance is written generically so other school districts would be able to use it if they so choose. The Austin Independent School District (AISD) has expressed interest in using cameras.

The proposed ordinance does not impose a requirement on the Austin Municipal Court to process violations. It would be the responsibility of the school district(s) to ensure due processing of violations.

This change to the City Code creates a civil offense for a vehicle caught on camera passing a school bus when the stop sign on the bus has been engaged. Committee Member Houston supports letting the school districts choose whether to use this process.

AISD Representatives provided an update. They performed a pilot and it was successful. They said that this issue is about student safety.

This was an item on the Council agenda and was sponsored by Mayor Pro Tem Tovo. If this committee recommends, it would then go back on the Council agenda. It is important to note that only the City Council can created or update an Ordinance.

Speakers:

1. Brad Parsons
2. Andrew Bucknall (donated his time to Mr. Parsons)

Mr. Parsons shared an investigative report news video from NBC-5 of a school bus camera system in Dallas. The video showed that there were glitches in the system and citizens were being wrongly accused. Many citizens appealed and their appeals granted. Problems existed when a car was already passing before the stop sign was activated and other problems were due to tickets being sent to the wrong person. Mr. Parsons explained that the way the current AISD document is written, there is no appeals process.

Committee Member Houston asked for details of the AISD pilot program. The AISD Director of Transportation provided information. At this time they have not approved a final vendor. In the pilot, vendors installed cameras on buses and sent a written report. They didn't issue citations. They wanted to see if the problem existed first. AISD has not heard any negative aspects from citizens or the media. The costs will be borne by the school districts choosing to use the camera system. AISD said that citizens will get due process. An AISD police officer will review the video and will be making the determination of violations. They will hire qualified Hearings Examiners within the city.

Committee Member Pool had previously seen the NBC-5 video and had concerns about this item. AISD has three vendors that submitted proposals through an RFP process, but they have not yet decided who will get

the award from the District. The vendors were identified as American Traffic Solutions, Enforced Multiplier and Student Guardian.

Mr. Steiner explained that all this ordinance does is to allow a school district to set up a bus camera system and makes passing a stopped school bus displaying the appropriate visual signals a civil offense. Committee Member Pool's biggest concern is that this is a ministerial action by the City of Austin that we have no responsibility other than to create the ability for the school district to adjudicate at a civil level of prosecution; that there is no requirement by the City to provide municipal court time, it won't be on our dockets. She would like a follow-up after a period of time if a school district proceeds with this. What liability, if any, will be in place for the City of Austin or is it entirely with the school district. Chair Zimmerman asked about the entity that would review the video evidence and AISD said they would be using an AISD police officer to review it. City Law Department representative, John Steiner, reiterated that this Ordinance only allows a school district to set up a camera enforcement program. All the City is doing in this Ordinance is creating a civil offense if a school district sets up a camera enforced program. The City does not undertake any liability or enter into any agreements by virtue of this Ordinance. He explained that a procedure created by a school district cannot create a duty for a city employee or department. It does not prevent an interlocal agreement between the two entities, however that is not anticipated. An interlocal would need to be approved by the City Council.

Chair Zimmerman asked about the red light cameras in the city of Houston. Mr. Steiner said there was a bill introduced regarding red light cameras which also would have prevented school bus stop arm cameras; it passed through the Senate and stalled in House Committee, but the final decision will be made on June 1.

Council Member Houston commented that the issues that the public speakers have is with the school district, and not with the City of Austin, because it is about cost, adjudication and the due process. She encouraged them to voice their opposition at the school district's next board meeting.

Committee member Pool made motion and Houston seconded to move this forward to full Council, Chair Zimmerman voted against. Vote 2-1, Vice Chair Casar is absent.

#### **4. CITIZEN COMMUNICATION**

Gus Garcia

#### **NEXT MEETING**

June 22, 2015

#### **ADJOURN**

Chair Zimmerman adjourned the meeting at 4:04 p.m., without objection.