

Public Safety Committee Meeting Transcript – 06/22/2015

Title: ATXN 24/7 Recording

Channel: 6 - ATXN

Recorded On: 6/22/2015 6:00:00 AM

Original Air Date: 6/22/2015

Transcript Generated by SnapStream

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>> Zimmerman: Hello, everyone. I'm don Zimmerman. Welcome to our public safety committee. The time, it's 4:06. It is June 22nd. We're at the city hall auditorium here. Thank you all for coming. We have all of our councilmembers here, vice chair Casar is here, councilmember pool and councilmember Houston. So we are all here. The first agenda item here is the approval of the minutes. Are there any suggestions for changes or corrections to the minutes? Seconded by councilmember Houston. If there's no objection, the minutes are approved. Thank you. Our next item here, we wanted to have a city staff briefing regarding the municipal court clerk. I understand that we've had seven people that have applied so far. We have a few minutes to talk about that, please? >> Human resources department. And today's briefing will be in lieu of my weekly update I email you each week. I'd like to cover five things with you. The recruitment sources that we've used, the applicant pool, timeline that we've talked about in the past, things we need from you, and the next steps. Okay. In terms of the recruitment effort that we've done, we've reached out to 125 -- approximately 125 different entities either by sending an ad to the organization's website, or we've reached out to the executive director or the

[4:08:15 PM]

highest-level person in the organization to distribute to their membership. We've advertised with law schools throughout the country. We've worked with all the local bar associations in terms of spreading the word and asking them to distribute. We've placed ads with, like, Travis county bar association. We've done our traditional recruitment effort, which includes zip recruiter, Facebook, linkedin, a lot of linkedin in-messaging. Let me say, our typical recruitment effort will usually involve about 25 to 30 -- applicants or people that are networking to be able to reach people in their profession who might be interested or they know would be qualified -- some residual effects of that in the applicant pool. And we -- let me just go ahead and go to the next slide. Let me give you a summary of the applicant pool thus far. We've received 34 applications as of today. Nine applicants are qualified. A lot of times people apply for jobs. And we respond -- questions -- they say yes. But, their resume says differently. So -- make sure the person actually represents that on their application and resume. Those nine applicants, two have a jurisprudence doctorate, and they have a license to practice law. Three of the candidates currently work or have worked for the city of Austin municipal court. Four candidates are from Texas, two from Austin. Five are from out of state. Candidates have a variety of experience. Not all the administration represented on the applications was municipal. It may have included judicial circuit or district, state, local, and federal-level court systems that I've seen.

[4:10:18 PM]

And nine candidates that we sent you the applications last week, we see 12 to 27 years of court operations experience represented on the applications. So, let's go to the timeline. Let me preface that also by saying that this -- so, one thing -- position because of the lack of a robust -- what I would call a robust pool of applicants. And I would define that at least of 20 to 25 applicants who meet and exceed the minimum requirements. So, we've extended. The position will close July 6th. And we would -- this is the part where we would need to get direction from you, either in July or August. We would need the special called meeting with the psc to discuss a phone or in-person interviews with either your committee and/or the council. And looking through the additional -- maybe at the end of July, perhaps, doing interviews or at the beginning of August, depending on what the will of this committee is, go through the next phases of the selection process, which would be interviews, referencing background checks, extension of an offer, and offer acceptance. And that goes to get the position filled in August or September, with a person in the seat. So what we need from you to move forward is we need to come to an agreement about the meeting dates for either July or August. We also need to get -- like to have phone or in-person interviews with qualified applicants, or some other

[4:12:18 PM]

direction in terms of how you would like to orchestrate the interviews. And so, for interviews, holding the interviews, recommending the top candidate, getting those reference and background checks done, getting an offer extended, getting the person to accept the offer, and starting -- getting them oriented. >> Go ahead. >> Casar: Oh, thank you so much. Check to see if there are questions, or if we -- briefly now that we're all here in open session, when we -- what direction we would give staff as far as the timeline. But, I'll defer to see if y'all have questions for her first. >> Questions? Go ahead. >> Houston: Thank you, thank you, chair. I just have a question. And I think that the chair answered this. But, psc is the what? What does that acronym stand for? >> Public safety committee. >> Houston: Thank you. >> Pool: I indicated that I was fine with extending the timeline for the posting and recruitment of candidates through July 6th. Is that a general agreement of the committee? Do we need any specific action on that? Do you need any specific direction from us? >> No, not unless you want to extend it beyond the July 6th deadline date. One thing I will mention to you, after the position closes, we have got to be cognizant of the fact -- to hear something about the job between -- to assemble. So I think your next scheduled

[4:14:25 PM]

assembly -- committee meeting. So then that -- >> Zimmerman: Reference to a robust -- but we've looked through -- it looks to me, pretty impressive. I think your pool is quite -- >> Okay. >> Zimmerman: Is there any other feedback from that? Have you had a chance -- >> Casar: I feel the same. And so I'm happy to have the discussion. I'm happy in that first week of August to get my staff together with y'all's staff to figure out when we can get together and make sure that it works for our staff to get the process going. >> Pool: So there's general agreement to let the posting run through July 6th and see what we have? >> You would let us know the first week of August what day in the first week of August that we could meet with you to present the candidates? >> Zimmerman: Let's take a look at our calendars, if we could. So, I think by maybe the end of this week, we should have a special meeting where we can interview candidates. We will get you that information by the end of the week. Would it make sense to do that the first week of August, and have several weeks, hopefully by the August meeting we'd be able

to make a recommendation as a committee, does that sound good? >> Pool: Yep. >> That's great. Thank you. >> Zimmerman: Anything else that you need from us? This is our first time going through this. And I think so far, I'm pretty happy with the way it's going. >> One other area that I would want your input or direction on is whether or not you'd like for us to do phone interviews, or just go straight to an in-person

[4:16:27 PM]

type of interview, with your committee or someone or a group you designate? >> Houston: What is the cost of an in-person interview? >> Hotel, two-night stay, would run you 400 to \$450 for the two-day stay. Flights, depending on where they're coming from, we have an individual who lives in Canada applying. He has residency in the U.S., but right now he's living in Canada. That might be a little bit more expensive. >> Houston: I would suggest we do telephone interviews with the five from out of state, and do in-person for those here. And if we narrow them down on a second tier, and they're still in the running then we have them coming at that point. >> Pool: I would agree with that. The second interview would be in person, no matter where the person was from. Are you able to help with the culling of the group down from the seven -- the nine people down to a smaller group, say an arbitrary number, say three people. Is that something that would be within human resource's wheelhouse to do? >> Yes, we could. And if you would provide us what you would like for us to vet them or cull them down with in terms of the individuals so we can determine whether or not to move forward in the process, or we can have that and present that to you -- you would determine that. We would present what they said. >> Pool: Okay. >> Houston: Isn't that something that -- >> Pool: Maybe we can do a ranking, which is what we did with municipal civil service

[4:18:36 PM]

commission. So, what we did on audit and finance was we went -- we actually talked with seven people. But they, of course, were all in Austin. So it's a little bit different here. But we might be able to narrow the field ourselves. What we could do is indicate our top three candidates, for example. And, again, that three is arbitrary. >> Houston: The other thing, I think, that we need to focus on is the questions that we're going to ask, because not all of us will be able to meet at all of the meetings, perhaps. And so, we need to make sure that we're asking the same questions so that -- >> Pool: Would staff be able to put together a list of questions like what was done for the municipal civil service commission appointments? >> We could do that. We would probably still want your input on what you feel is important. We do have interview questions that we can get, but they're competency-based, they're very generic to an executive-level position. I'm sure there are technical areas you want to inquire, to vet that candidate, as well. Usually the hiring authority is the entity that would tell us what technical areas they want to query on in the interview. >> Pool: And we use some of Tennessee's questions for the interviews with the auditor, and also with the municipal civil service. It worked really well. Definitely with the auditor. And that worked really well. So, we may be able to choose. >> Would you like me to email you those questions? >> Zimmerman: I think we would. We'd like to get that as a committee. Too, it would be very useful for the telephone interviews if you can make -- and then give us a compilation of the results, you know. And then your impressions. Because obviously, our hr department hires people for a living. And we don't. So, that perspective and the experience you have of interviewing people, see how they do, is very, very helpful. We'd like to get that

[4:20:37 PM]

information, and then we can kind of go through it. >> Rod crane, talent acquisition manager. So, a

couple of things. If you want the telephone interviews on all the candidates, or just those that were out of town? >> Zimmerman: Would it be okay? The telephone interview is not expensive. It's a little bit of time. It seems to make sense to go ahead and do the first round and talk to them all. As councilmember Houston had said, the results of those phone interviews help us zero in on who might be invited for a personal interview. >> I wanted to clarify. While there are five out of state, only two are in Austin. There would be seven that would have to incur some kind of travel cost. >> Zimmerman: Okay. >> The only thing I would like to add, if I might, in terms of phone interviewing, if -- it would be best to interview all of them -- all candidates via phone, because it could make the difference of in-person engagement does have a different feel and flavor to it than just over the phone. So, everybody would be starting on the same playing field. >> Casar: Mr. Chair, is it your preference the phone interviews be conducted just by the hr staff, and that we look at the answers to those questions and do our best to decide from that who to cull it down to for in-person? >> Pool: That's one approach. Another approach would be where we go through ourselves and pull out our top three or five, and move from that point on. That would put the first work in our area, and we can compare our rankings. And it may be that three or four of us all have the same two or three people in the MIX, which would tend to narrow down the Numbers, too. I'd propose that we try that. That we, ourselves would rank them and share the rankings, and maybe send them to Ms. Harry,

[4:22:38 PM]

and she can give us the results back, and tell us who the top candidates are. >> Zimmerman: I think that's a great idea. We would each -- after the phone interviews are done, we would get the results of the phone interviews. Then we could list our five priorities in order of preference. Top pick is a pretty good indication of where we'd like to go. Would you think maybe the top three or four of how we score them? >> Pool: Just to clarify, I was proposing we do that first. If there are phone interviews, we can decide that later. But I wanted the four of us to rank the nine people ourselves and see who rises to the top. >> Zimmerman: Okay. >> Pool: Before any phone interviews occur. So we do that on the strength of the written -- >> Houston: Application. >> Pool: Yeah. I think we could rank all of them and just see how they fall out. >> Zimmerman: That's fair. Also, going back to the schedule, applications can keep coming in until July 6th? >> They're trickling in. As people -- I think the holiday, graduation season has impacted some of the application traffic that we would normally see. But I think we will have probably a surge, maybe at the end. >> Zimmerman: I'd also like to suggest, if there's no objection from the committee here, that we not change any of the posting. Because we've already received a number of pretty good-looking applicants. So let's just keep what we have and not change the job description or anything else. >> Okay. >> Casar: Chair. >> Zimmerman: Yes. >> Casar: So let me see if I can consolidate this. On a schedule from what I'm hearing. Applications will come in through the 6th. Near the end of the week of the

[4:24:38 PM]

6th, we get together and do our best to do some ranking on the written applications ourselves. And then, can we, even though we won't be in a public meeting, give direction to staff about whether to proceed with telephone interviews or not? >> On that point, what I would suggest is maybe, by the Friday after the 6th, we take the time to rank the people and send Ms. Alexander-harry our rankings. And she can compile the results and email us, and pick up where you're at now. We wouldn't have to have a meeting for that. We can do that individually, and each of us would email to Sonia. >> Casar: And after you have those rankings, I guess my question is, what do you need us in a public meeting for? You can discuss the next steps for telephone interviews with us privately. >> I don't think I would need

anything at that point. I would just move forward and confirm, these are the candidates the that we would be scheduling for a phone interview on the date that you've agreed. >> Casar: Okay. And then we would come back the first week of August in executive session to do in-person interviews if we so choose? >> Mhmm. >> Casar: And give a recommendation to council on our late August meeting for council to take action on that coming Thursday? Is that too long of a process for us to make a recommendation in this committee on August 24th for action on Thursday the 27th? Is that too long? If it's too stretched-out, it would be helpful -- >> We might lose, you know, a key person that we might, at that time, start seeing -- interviews. >> Pool: And these would all be in executive session, so it would be a matter of organizing our schedules. So that's really -- it's the scheduling that's a concern. So we probably should start putting aside some time earlier

[4:26:40 PM]

in August so that we could maybe save the August public safety committee meeting as a time to endorse the one or two people that we would then send to council that following Thursday. >> Casar: I think the concern is the August public safety committee meeting is too late in the month. >> Pool: That would be when we would announce our short list, our final candidate? >> Casar: At the end of August may be too long. >> Pool: If we do the interviews earlier in the month, do you think it would work if we did -- >> Casar: What I just asked -- >> If you did it in the first week of August, the first set of interviews, and the last set in late August, that will catch the people transitioning kids to school. Having to deal with that transition, that might work. >> Pool: If we look at making a decision that last week of August, both in the committee and council, that would work okay? >> Casar: What I'm confused about is I thought I just asked that question. You felt uncomfortable for us to vote on the 27th. If voting on the 27th could have us lose a person, I figure we could schedule a vote earlier. If you think the 27th is fine -- >> It's a concern to have that much of a stretch in between. Although in my experience of dealing with recruiting, the middle of August is a very challenging time to get people scheduled because they're taking kids back to college. Not everybody may be in that situation, but we've had some challenges scheduling because of those kinds of things. >> Zimmerman: It's a pretty important position, though. And it's a pretty decent salary. >> Pool: We can advertise it's a short list. Maybe if they know it's a finalist. Let everybody else go, but two or three people? >> We can let them know when we schedule the interviews, this is

[4:28:43 PM]

the projected timeline. That way, it's there's a problem, we'll know right away. >> Casar: I guess then, my only recommendation would be -- until -- if we can figure out before the 24th, we don't have to wait to take a vote. >> Zimmerman: The 24th is the latest date we would do it, not the earliest date. >> Casar: That's helpful. >> Zimmerman: We would post on August 27th. Is there a meeting on the 27th, city council meeting? >> Casar: There's an Austin energy one. >> Zimmerman: We can fit it on there, sure. Anything else? >> Rebecca Kennedy, assistant director with hr. One question for you. You talked about looking at the applicants, and we would send those to Sonia, and she would weed them down. And we would only phone interview a few of those. So, that caused me pause, because to be able to pick and choose, I feel like we would need to be in an open session to be able to give direction to staff on the specific number to interview. So, if we were to say the top five, or you want us to go ahead and do all that -- meet the minimum conversations, and that gives you the ability to look at their applications, what we've provided in the phone interviews, and you can decide who you want to bring in face to face. >> Pool: I think we were talking about ranking them. And then sending the rankings to Sonia, and she would compile them and send back a list of the top three or four. >> Yes. That would be -- we would need that direction. Absent that, we would send back what the rankings were, but we -- clear direction

on how many you would want us to interview. >> Pool: I think we should -- >> Casar: You can go ahead. >> Pool: Using the Numbers three and four all along, and we are trying to kind of narrow down the funnel a bit. I'm open to other thoughts. >> Zimmerman: The other thing is that the phone interview is

[4:30:45 PM]

not expensive. I don't know why we don't utilize more phone interviews instead of less. And I think I started off with just -- I guess if we go through the rankings again, there should be at least five phone interviews. And maybe as many as ten, because they're inexpensive to do and they could add a data point, you know, to the decision. So is -- >> Houston: It's only nine people, right? It could grow. Okay. I was envisioning that we would send our individual rank -- people -- how many that is -- we could get together and say, let's look at the top five or six. I don't know. I wasn't expecting you -- I was just expecting you to put all this -- the results together so we could look at it and go through and make those determinations about how many we will do telephone interviews with. >> Casar: I think her concern was whether we can do that by email, or whether we have to actually take -- as a council. >> Correct. As a body, to give us the direction to do it. So, if we're not ranking them, we're just providing the scores back of this is how everybody ranks their individual people, if we didn't do, like, an overall this person came out as number one or number 2, we wouldn't know exactly who to come back and do phone interviews with. >> Casar: Can I put out there just a -- how to move forward might be, since phone interviews are inexpensive and we have staff that professionally does it, what if we have all the qualified people that send an application get a phone interview, at the same time we rank the written stuff and get the phone interview stuff back.

[4:32:47 PM]

Maybe we try to schedule in July a quick hour where we can all get together and give direction as to how many people we want to call for in-person. We'll have rankings, applications, information from phone interviews. We get together the last week of July when we're already getting together for a budget session, hang out for an extra hour -- special meeting, give direction, have these three people come in for an in-person. In the first week of August, we can do our in-person, and second week of August, we can do the rest. Does that work for everyone? >> Zimmerman: I like the idea of doing the phone interviews. >> Casar: We don't have to be there for the phone interviews. They can just give us the information. >> Zimmerman: That's another data point. Another quick question on this, when somebody sends in a resume and they say that, you know, they graduated from a certain college or university, does the hr department do followup to make sure that some of the facts are accurate on the resumes? >> When the individual is identified as a top candidate, we go through a national clearinghouse to confirm that the year and the degree that the person earned was valid. >> Zimmerman: So you do wait until we've winnowed them down. I see. >> And we also check licenses if they said they had a license. We double check everything education and credential-wise to ensure that it's correct. >> Zimmerman: Okay. >> Casar: Does everyone feel comfortable with that summarized? >> Mmmhmm. >> Zimmerman: I think so. >> Casar: Great. >> Pool: Is that workable for you, Sonia? >> That's workable. And I'll continue to do the weekly updates. As I said, this is in lieu of this week's update in this briefing, but next week we'll give you another update. >> Zimmerman: Okay. Thank you very much. That brings us to our next agenda item here, to talk about

[4:34:55 PM]

the hazardous materials. >> Casar: Before Mr. Spillar Mr. Spillar -- starts, I saw councilmember pool

expressed interest about our next item on fire and ems. I wanted to have some idea about, for our scheduling purposes, how long it would take and what we want to talk through, considering that staff expressed some -- answer to know sort of what the expectation is going to be on this item. I know you've got some invited testimony. I'm happy to entertain the public talking to us about the item. Instead of tabling the item indefinitely, I would be open if councilmember pool is, and you are as well, to have 15 to 20 minutes of the invited testimony. And then if there's any items the committee wants to bring forth, we can do that in the future. >> Zimmerman: Sure. >> Casar: How long of testimony do you have? >> Zimmerman: We had predicted -- well, let me point out while we're at it, we have some sign-in, Joe in the blue shirt, if you haven't yet signed in and you'd like to speak, you can speak on anything on the agenda. But we also do public communication. We generally do general communication time certain, 6:00 P.M. Or whenever we predict the meeting might conclude. I would predict it would be 45 minutes or so. And, again, this is commentary. It's not a hearing. We don't -- hear from the community. We have some people testifying that have experience, you know, in the area, to see what they have to say before we go into thinking about when we want to

[4:36:59 PM]

pursue it or not. So, I guess before we direct city staff on it -- >> Pool: Since I was the one who suggested tabling it, I'm fine with taking any testimony that might be here today. The table relates to taking any action. >> Zimmerman: There was no action planned. It was public commentary only. So. Okay? >> Casar: Great. I'm ready to move forward with the briefing on number 3. And then on number 4, obviously, it seems like we won't have a briefing because -- >> Zimmerman: Correct. >> Casar: I saw the comments that councilmember pool posted on the message board. I think we should be able to get the salient points in less than half an hour whether or not this is worth talking about further or not. It would be helpful to our city staff who might be around. You know, I think that it might make sense to give direction they can stay if they want, but we're not taking any action. They can go ahead and do their jobs. >> Zimmerman: Fair enough. >> Casar: Is it all right to -- I don't know if we need a motion, or if we can all agree on number 4, we'll take 24 minutes of testimony and we don't need the city staff here, because they can go ahead and do all the good work that they are going to do. And if the committee, from hearing public testimony has any questions, we can email or get together with them later. I'm becoming very aware of how much city staff time we take up. If there's going to be no action taken, they can go ahead and leave. >> Zimmerman: Sure. We wanted to start with rey, our assistant city manager. >> Houston: I think we can do that by consensus. >> Casar: I'd be all right with on number 4, city staff taking off, unless they are -- >> Zimmerman: Sure. >> Casar: Dying to hear. >> Zimmerman: We wanted to start with some comments by rey, and if there's no questions, they're free to leave after that.

[4:38:59 PM]

There's no need to stay. Okay. So, I see Mr. Director spillar here to make a few remarks on item number 3, on the hazardous materials. And by the way, I printed a copy of your memorandum from January 30th, 2015. So everyone should have a copy of that here. So, go ahead, thank you. >> Thank you. Mr. Chair, and councilmembers, Robert spillar, director of transportation. I'm going to try to be brief, because -- just to give you an overview of what we're doing here. I know there's probably some questions about my earlier memo, but, let me talk about the subject of non-radioactive hazardous materials routing update. In the subsequent slides, that's nrhm, the federal acronym that is used. I want to talk about this briefly and let you know where we are. First of all, defining what hazardous materials are. They may include any of the variety of products, if you can call them that, that are listed there, anywhere from sewage to household waste, dry cleaning chemicals, petroleum, paint, fertilizers. In

Austin, there's two types. Those type of hazardous wastes that are transported -- destined for markets here, the gas station are your local petroleum outlet receives and distributes what would count as a hazardous material in terms of this study. Municipalities with populations in excess of 850,000, or exactly 850,000, are required to develop a hazardous materials route. That's a federal requirement. We hit that trigger point some time in 2013, exactly when in 2013, I think it's up for

[4:40:59 PM]

debate, whether it was early in 2013 or late. Some time in 2013, we're pretty sure we hit that target or trigger. A hazardous materials routing program, including the insulation of the freeway signs, are borne by the local entity. In a sense, it's a mandate set by the federal government which the local government, the large city, central city, has to bear those costs of setting the requirements for that routing process. The routing designation must be completed within 18 months of the formal notice. Austin has not yet given a federal notice, a formal notice publication, because we're still doing that prenotification planning. Notice starts after commodity flows. This is what our proposal is, the notice would occur after we better-understand our commodity flows. We have -- the transportation department will be proposing a budget to begin that commodity -- in fy16 budget. We didn't have it to do this year. And so we plan to look into those. In my earlier memo, I said we don't think the exposure risk for Austin of the type of chemicals that might be affected by a hazardous materials routing program is significant or very high. The chemicals that go through our community, we think are relatively low compared to the ones that are actually used here in Austin. Yes, there are hazardous chemicals within our community, but many go from storage units to distribution locations here within our community, mostly petrochemical in nature, we think. We would start the commodities flow in the winter of 2015, this calendar year, after we receive funding, hopefully as part of

[4:43:00 PM]

the fy16 process. And the process really does require a robust coordination with the surrounding jurisdictions. And this is why, I think, it takes careful planning before you start this process. As you can imagine, once you say, hey, we're doing hazardous cargo planning, that become very concerning to your surrounds jurisdictions, especially in a network like Austin, a freeway network like Austin, where many of the potential routes probably do go through neighboring jurisdictions as opposed to ourselves. We can look to the south in San Antonio that experienced this same process. They obviously hit the trigger many, many years ago, about 15 plus years ago. They were able to accommodate their hazardous cargo routing on their interstate 410, which is an internal loop to the city, bypassing their most densely populated areas, but still largely within that jurisdiction. That affected many other jurisdictions, and also went over water quality Zones. If that all sounds familiar, that's exactly the process we are going to have to grapple with here in Austin. The purpose of the commodity flows study is to understand what you have coming and going through your community now, and then also what routes are available to you. We will have to look at all the major routes coming in and out of Austin. It's not just I-35. I think everyone can understand, I-35 we need to pay attention to. But it's also potential hazardous chemicals coming in from south Texas, as well as coming in from the west. And so you start to quickly -- hopefully - in your mind form a mental map of Austin that we really don't have a lot of routes that are parallel to many of those potential routes that might be affected, except for I-35 where we have several routes that are parallel to I-35 that we can consider, would those be better routes than I-35

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carrying some of the through chemicals that go through town. For a variety of reasons, we think that the number of chemicals going through Austin are relatively low, as I said, compared to the chemicals being used in Austin. Again, to remember about hazardous material designation, it is designated primarily for through-routing of hazardous materials, and routing away from sensitive areas. But if you have distribution centers, for instance, in your population centers near the center of town, those products still need to get there. It will require robust coordination with the surrounding jurisdictions. We think there are three phases, first, the commodity study that we have planned for the next fiscal year to understand what's available or what's coming through our system and what routes we have available, followed by a route-planning and designation process, and lastly, a robust public outreach process to see what we can do in terms of working with our surrounding jurisdictions. That is my update. We have been continuously, methodically planning this process. We want to make sure we get it right. It is a contentious issue and as I said, we plan to start that process with the new fiscal year. >> Question. >> Houston: Mr. Spillar, thank you so much for being here. We've gone through this a couple of times in other situations about the hazardous route. How many accidents have we had, at least on I-35, that have -- that would be considered hazardous material? >> Sure. Well, the data that I reported in my memo at the beginning of the year, and I have

[4:47:02 PM]

representatives from the fire department that may be able to provide more recent data, in 2010 to 2012, you know, we had hazardous calouts, if you will, hazardous callouts in the hundreds. But we only had five significant leakages that would be considered higher-risk accidents. Now, I personally believe that is relatively low compared to some of our sister cities where -- >> Houston: Hold that thought just a moment. >> I don't know how many were on I-35. >> Houston: And you said in that data started when and ended in 2010? >> It was 2010 to 2012 was that data. And that's the data that I used. >> Houston: Happened in 2014, 2013? >> I do not have that information. I can try to get that. >> Houston: I can remember just last year that there was a big spill of -- I guess it was -- let me look at the list here. Hazardous waste that kept the city block, I-35 was blocked for hours and hours trying to get that, was it pig? Something. Something spilled, just this past year. >> Yeah. >> Houston: And so the thinking in the community is that there is more hazardous waste going through the city than the aggie report suggests. >> Yes. The event you're talking about, if it was a truck that caught fire on I-35 southbound near Riverside, that actually was, I believe, pork belly or bacon. And it would not have necessarily been listed as a hazardous waste. >> Houston: Okay. So --

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>> The point being, it doesn't have to be hazardous to cause a really bad problem on our freeway, so. >> Houston: The other thing is we're so close. The police department is so close to I-35 that a petroleum truck could be -- decide that it was disabled. And it could be a target for other kinds of incidents in the city. >> Mmmhmm. >> Houston: Capitol is so close to I-35. To me, it seems like we would be prudent to try to look at redirecting that traffic around downtown. How we divert that kind of possibilities off of I-35, where they're so close to some major, very public buildings. >> Right. And councilmember, you know, safety is our most important issue with regards to hazardous cargo transport, of course. And the process that we're moving through will be the process to identify how much is going through the center of town. And I-35, I think, goes right through, obviously, what most people would call the most dense part of our community, whether that be in population or activities. And that obviously is one of the roadways we need to look at. Certainly, 183, 71, mopac also come into that area. Some of those do not have alternates around. And as we start to look at all -- to consider how we would route stuff around. The

challenge then becomes, are those reasonable routes to get people around those? And once you designate those as hazardous material routes, what mechanisms do we have to force hazardous materials around?

[4:51:03 PM]

If a delivery is occurring in central Austin, to a gas station along the eastern or western frontage roads of I-35, those are legitimate business needs where that very same truck, as you mentioned, goes there. So, yes. Your point is well-taken. And we are moving forward with that process. Yes, ma'am. >> Pool: I have a question, it just goes to the designation of different highways. Are there designations on highways where hazardous materials are permitted to be driven upon, or that the routes are considered safe? So, like, a federal safety standard or something like that? >> So, I don't know if we can say that a route is -- the community is saying that is the preferred route for hazardous cargo. We still rely on the driver to understand that they need to go that way to avoid the most dense populations. And so, again, designation of a route as the hazardous cargo route does not guarantee that all hazardous cargoes avoid -- you know, the route that you're trying to dissuade people from. If they're headed to a gas station, they're still headed down to that gas station. My understanding is that in San Antonio, next to the Alamo, there is a prohibition of all hazardous cargo, but I would have to research that further. >> Pool: Thanks. >> And if you will, the first portion is to determine which routes you're going to try to dissuade hazardous cargo from traveling on. And so that's an inventory process where you're getting a better understanding what's the level of hazardous cargo coming into town, and is there a reasonable alternative. >> Pool: So we'd make sure, if we could, that we weren't

[4:53:03 PM]

driving past a childcare center, through a neighborhood, or a school, or something like that? >> Sure. Most of our routes, though, it will be difficult to find a route that doesn't have one of those higher-risk locations near. >> Pool: Okay. >> Just because of the dense urban area. >> Pool: I think that's okay as long as we do our best on that, and that we also notify everyone along the way that not only is this a possible route, but the frequency with which -- or maybe an alert, this is happening at this hour. Maybe it's at an off hour where the school isn't in session or something like that. >> Again, councilmember -- interfering with -- trade and so forth. And so, our ability to manage this is limited. And I guess I should also say is, you know, in our conversation, I think everyone's leapt to the idea that I-35 would be designated as not a hazardous cargo route. That is not necessarily the facts. We would need to wait for how much is occurring, and is there an alternate, better route that would reduce our risk. And so, not that I-35 should be or not hazardous cargo, I'm just saying, there's a process to make that decision. >> Pool: Thank you. >> Yes, ma'am. >> Houston: One last question. How will you do an inventory when you do this study? >> Right. It's a fairly manual process. Hazardous cargo as it's traveling by should have a diamond placard on it that designates what type or what class of hazardous material is being transported. I will tell you that a vehicle -- transporting it has to have a certain tonnage to be required to put the diamond placard up. So, hazardous chemicals that are shipped via ups, they will take

[4:55:04 PM]

hazardous chemicals under a certain volume, do not necessarily have the placard. So we literally, traditionally, put people out on the side of the road and watch -- road and watch for those vehicles. Record the placard, what type, the license plate if we can get it. The reason we record the license plate is we try to get information on the trip of the vehicle, or see them again at another point in the network

so that we have some idea of where they're entering and leaving our networks. I say it's fairly manual. We have several thoughts about using more modern technology, but it still takes a manual reduction of what -- chemicals are. >> Zimmerman: And how the 18-month clock, what starts that ticking? The 18-month clock? And could you just indefinitely postpone the beginning of that clock? >> Well, first of all, let me answer that in pieces. What starts that clock is the federal notice. Just similar to an environmental impact -- starts the clock is the federal notice. What we have -- others that have gone before us is they say it is better to do as much prework before you get to that notice point so that you're fully prepared to accomplish it within 18 months. What we know from others -- other cities that have been through this process is the more sister jurisdictions around your border that you have to negotiate with, the more of that 18 months it takes to get through. And so based on that -- process. Our intent is not to delay this any longer than is prudent to get started on the process. As I said, we've been in the process, we just haven't started the federal clock yet. To my knowledge, there is no penalty for not jumping to it.

[4:57:05 PM]

That doesn't mean that it's not prudent to do it. I'm just saying there's no federal penalty for being methodical, as I would say. >> Zimmerman: Thanks. Anything else? Okay, thank you, Dr. Spillar. Agenda item four, we had for time certain 4:45. We're a little bit late. This is a discussion -- it's public comment, really, on the concept of merging -- potentially merging the fire department with EMS. I posted earlier to our council message board the idea for some invited testimony starting with city staff, with either our assistant city manager Rey, or anybody else he would like to designate, followed by Mr. Bob Nicks, I believe he's here, followed by Mr. Tony, followed by Mr. Mike -- public safety commission. So, if there's no objection, we'll go ahead and get started with that. Mr. Arellano. Person, if that's acceptable. So, thank you. >> Thank you, chair Zimmerman, and committee members, Rey, public safety department. I wanted to say briefly, in response to what was posted initially about the staff briefing, that over time, I understand that the topic of potential consolidation has been discussed. I'm not aware of any formal study that's looked into this. Staff is here ready to listen and observe what the committee's discussion might be, and look forward to that conversation. And that would be my comment. >> Zimmerman: That was fast. Before >> Zimmerman: Before you walk off, I think Mr. Levy is come up before but I think there have been public articles

[4:59:06 PM]

about the concept that have been floated for decades. I think there was an article in the 1990s that was published by the Austin chronicle bringing up the concept of, you know, whether or not there should be a merger considered. I think there are other cities that have been doing it. So I don't think it's a new concept to the city. But maybe we're in a -- this is the first time -- a council body has heard of, but that's fine. Is there anybody else that would like to comment to it from staff? >> Not at this time, I don't think. >> Zimmerman: No problem. All right. Thank you for coming. I guess our city staff is free to go, yeah. Thank you guys for coming. Our next -- >> Cesar: Chair, is it all right if we hold it to five minutes a person and then if people feel so moved -- >> Zimmerman: Five minutes. >> Cesar: The chair was saying ten minutes a person, right? >> Zimmerman: It's up to you. It's completely up to the committee. >> Cesar: Is it all right if we do five minutes a person and if people feel so moved -- >> Zimmerman: Does that work? Five minutes. >> Cesar: People can make a compelling case in five minutes, I think. >> Zimmerman: That sounds good to me. Thank you, Mr. Nicks, for coming. >> Good afternoon. My name is Bob Nicks, president -- >> Cesar: Sorry for cutting you off. If were you planning on ten minutes I apologize for chopping new half. >> No problem. I've been stopped before midstream. Doesn't usually bother me. We

-- the Austin firefighters association sent a letter to the EMS association a little over two years ago, February of 2013, inviting them to begin merge talks. When two labor organizations talk about that you have to go through a formal process because there's national laws that bind these things. I wanted to approach the committee and provide you a copy of that letter and I was going to read some excerpts from that letter if that's okay.

[5:01:12 PM]

So, anyway, like I said this is a little over two years ago. And before I get started on some of the points I'd like to read a kept excerpts from the letter. I made a equipment to the EMS association when I became president were days there's a lot of angst about merger talk and the reason there's angst about merger talk is not that -- most important thing in a merger is the employees and the people that are involved. Because they're the ones that really provide the great service and if they're not taken into consideration very thoughtfully you're going to end up with a merger that is horrible, a merger that doesn't save money and a merger that doesn't make service better -- so I think, number 1 thing is we've got to do this thing thoughtfully. We have to do it -- we can't be forced. And I don't think the main thing needs to be to save money. I think that will be a likely byproduct. The main things is how do we take two really well-functioning organizations and make them better. I think if we keep those kind of tenets in mind I think as we go forward, it's possible -- citizens of Austin enjoy one of the best EMS systems in the country. The men and women of Austin/Travis County EMS and Austin Fire Department work in harmony making the best possible patient care for our citizens. Trade publications around the country recognize both departments as the top in their perspective fields. While responders from two separate organizations operate seamlessly in the field they also operate with separate administrations, labor organizations, policy and procedures and command systems. EMS care across the United States does fall within the

[5:03:12 PM]

scope and [indiscernible] Fire terminate. I believe and my organization believes that it is likely that a fire/EMS merger, if done correctly -- I talked about some of those premises, can result in better service delivery to reduce costs. We also believe reducing costs should -- but what we believe isn't what we know. Just because we have these notions, it doesn't mean it's true and I think we really need to -- reporting how to do it or even the tenet of what I'm talking about may be premature. There really needs to be a direction of maybe a three to 4-month study, not even a study but just brainstorming of looking around the nation and looking at the ones that worked and haven't worked. We'll get some really great ideas. Before we can start sitting down across a table and talking about what are we going to do to merge the departments, we really need to really not have any preconceived ideas, going in a brainstorming mode and really try to establish what are the -- what worked and what hasn't and how would it translate in Austin. It's actually very different. I think the easiest thing in the world to do is focus on better service delivery, reduced cost and neglect to acknowledge the great thing both systems have. When you have systems working at high capacity, the easy theft thing to do is not make them better but worse. Of course we don't want to do that and I think Austin has a great opportunity to merge and make them better. It has to be very thoughtful, careful and shouldn't be forced. We also can't wait forever. We need to move along. So I'm just going to close by saying thank you for your time, thank you for your service. My commitment to EMS

[5:05:12 PM]

association remains, is that I believe that this shouldn't be forced and -- until the employees are ready to move. But, also, I think we need to start getting together and deciding when we're ready to move. I thank you for your time. Is there any questions? [Buzzer sounding] >> Zimmerman: Perfect timing there. Any questions? >> I've been accused of that before? >> Zimmerman: Any questions for Mr. Nicks. >> Pool: Maybe later. >> Zimmerman: Okay. I have one before you go. Just to point out, again, that the purpose of this initial meeting is kind of what you were saying, brainstorming. We have not -- not only do we not have any resolution to consider or any ordinance change, we don't even know whether we want to do it or not. Councilmember Houston brought this up before. Said why don't we have more public commentary early on before we even decide if we want a resolution. So that's what this is for. So I appreciate that. >> You know, and I understood that, and that's the way I took it but I don't think I received more phone calls on any other resolution than this one. I guess it's because people in both organizations, police and ems, are high functioning that really care and when you talk about a change, they get concerned. I don't think that means -- they don't want to try to recommit themselves to become better but they do want to make sure it's done very thoughtfully with them in mind. I appreciate it. >> Zimmerman: All right it but. Mr. Coney March -- Tony marquat here? >> Thank you, I'm president of the austin/travis county ems association. I thank president nicks for those words. I think that we've been very consistent about partnering on this issue such as the topic of the merger. Also I wanted to share that I do acknowledge that this is a horizon conversation but we're looking at potentially a singular solution. I e-mailed each of you and

[5:07:15 PM]

CC'd council on something having to do with the core issues going on with ems, going back to the staffing deficiencies and real issues driving our separations and challenges. I think that merely looking to the horizon for the solution for those matters is premature, given that we should be identifying the core issues, which I've pointed out, I believe, here. And I've also pointed out on the public safety commission. Our challenge with the commission has been that often led by -- they don't understand the issue of ems or are unable to follow through with some of the core issues. For example, one of the -- a couple of the things that I had sent for council consideration was of course fy16 unmet needs. We're left only to talk about unmet needs because that's how the system is set up until y'all elect to change it. To this is a number of unmet needs, including an annexation station that the city of Austin will have to cover regardless and that is something we're taking up with ems management. The other issue is staffing. This is something that we've brought up in many venues. That is the difference between the medic one program, initiated in 2012 by Dr. Henshi and by ems management. When that was initiated, I believe a number of objectives were brought to council at large. It's been three years since this initiation and we're showing a record number of separations and we're not identifying that any of the proposed objectives brought to council were actually met to really appreciate it if we could revisit that, either through this committee or through the public safety commission once it's reengaged with a new set of personnel. The other issue is medical direction, which I was prepared to talk at length about today. That situation has changed with the resignation of the current medical director, which leaves a lot open and I believe a lot that's appropriate for discussion at the council level. We have previously had challenges with having the medical that is employed by the city without a contract.

[5:09:16 PM]

So no oversight and no ability to understand a direction. So the the city is kind of disenfranchised when it comes to pointing out the needs of our citizens and the needs of other medics to provide care when we have no insight into how that goes. The rest of the nation and particularly the state of Texas most

major municipalities are partnered with a medical school of some kind. When we're looking at moving forward, I know city management will be eager to work with them in the near future about the next generation of medical direction. We're still asking for the same things, which are accountability and transparency. I think that conversation got lost along the side when the doctor at the time was expressing that would allow dangerous medics to be providing care within our system. Nothing could be further from the truth. We do not advocate for any lesser evaluation of personnel that have some deficiencies. In fact we are some of the primary people that would stand up against that in our culture. The differences between investigating through a clinical investigation and -- ongoing conversation that needs to continue to happen. I think it's critical. I think that's what led us to the capitol last time around and will lead us there again in 2017 if we can't come to an understanding. The understanding is fairly simple. There's a number of contracts around the state that could be emulated here or if we choose to keep the medical director as an employee of the city of Austin, adopting a letter of agreement between the ems director and medical director evaluated annually might not -- in closing I really appreciate your time. I hope that we can start working on the core issues. The horizon issues of where we come to a solution I think

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very much depends on where we're going to go to look for the answers as to the current problems. The number -- the three things I mentioned to you are things I feel are appropriate for city council to look at and address because they're things that haven't been successfully addressed through the public safety commission or other means. They are current issues that may be horizon issues for this group. We have demand ambulance that's went down for several hours on the 29th and 30th that we have not been able to account for why that cured. It's been evaluated, but we haven't connected that to accountability. I think that's an important issue. But one that we're going to work with city management with. [Buzzer sounding] >> There are other issues like that. I think if we are unable to find resolution would I very much like to bring it before this committee for your consideration. Thank you. >> Zimmerman: Any questions or comments on this so far? Let me ask -- go ahead. >> Pool: I would be really interested in taking the opportunity with a vacancy in the medical director's position and evaluating the role of the medical director, especially now, as you point out, we have the medical school nearby with all that it potentially brings to our community and tapping into those resources and seeing if we can't establish a different sort of a reporting situation, the one where the medical director had full authority to continue or revoke a medical license for a first responder is what created a lot of the concerns in the first place. And I've had a number of conversations with Mr. Arellano and others about that, and I would like to take this opportunity with the change in the leadership there to look at how that is -- what that reporting situation is and make sure that we can get one that better accounts for the professional level of our emts and all of the folks in

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ems. And I would also like to consider changing back to having two paramedics -- is it the -- two paramedics? >> Yes. >> Pool: Per ambulance rather than one paramedic and 1emt. I hope I'm getting the status and the official terminology correct. >> Yes, ma'am. >> Pool: I would like to understand what that change was to have affected and then have an analysis on whether it was successful or not so that we can look at potentially returning to the model that we had previous. That's just a start. I've had a number of conversations with Mr. Marquat, as possibly the rest of my colleagues at the dais had, and I'm very interested in trying to move forward in a kind of collaborative iterative process with Mr. Arellano and other folks at city management and work with you to see if we can't heal some of the

wounds that are out there and move forward to having real support for folks who work for austin/travis county emergency medical services. That would be my hope. >> Thank you, councilmember pool. I think that was well spoken and much appreciated by an audience not just here, but the medics watching this evening, which, trust me, they are watching. I would make one comment. I do appreciate looking at medical direction. That is one of our priorities -- route core issues and identify those and then look for solutions beyond that. I don't know that the time frame would bring the medical school as a viable -- >> Pool: Consider them. And I would also like to say that I think that the merger conversation needs to happen a little further down the road. I don't think it's even right for fiscal '16 and I recognize that there is exclusivity

[5:15:22 PM]

legislative changes, we'd need to convince folks at the capitol to make changes with regard to how pensions are operated and that gets into thorny areas and opens doors and we have to be careful that's shepherded properly. So I appreciate both what you and Mr. Nicks have said about a very thoughtful and careful and -- with a lot of due diligence process, and completely including all of the folks most directly affected. And it also directly affects people with the city of Austin employee retirement system because the ems folks are part of the city of Austin employee retirement system. So we have to make sure we don't do something inadvertent to harm the actuarial soundness of that system as well, and we've had these conversations with others over the last few months. So it's a very -- it's pretty complicated, and -- which is not to say that we're not up to the task, but what I am saying is it really needs to be a thoughtful process, and I think Mr. Nicks used that term as well as did you. >> Thank you. Excellent point. That's one of the reasons we were looking at 2017 as the opportunity. By the time negotiations happen, which are already set, it will be at the end of that cycle so we'll have definitive news in the legislative hey was successful or if the -- so I have been working with asme as well on other solutions. Very much appreciated. >> Pool: Would I look forward to working with all of y'all on this. >> Thank you. >> Zimmerman: Thank you. Before you go, any other questions? I have a quick one. One of the purposes of this meeting would be able to maybe tell early on, to answer the question, is even the idea of the merger a terrible idea? Because, you know, if were, we'd like to hear from people to say, ah, it's a crazy idea, it could never work.

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I didn't hear that from Mr. Nicks. I heard that it could work if it's done right. Is that fair to say that would be your position, to that if it's done right, it could work? >> Absolutely. I think that there is a lot of work to be done. So when we talk about a merger in theory, we're talking about speculation. And so like president nicks had expressed, I think the homework and the work behind this really needs to be vetted. So we're able to get both sides and council and the community enough time to digest what we believe would be the benefits if we bring it back to you in that capacity. But, again, that's a horizon issue. >> Zimmerman: Okay. Thank you very much. Let me remind everybody, Mr. Levy, thank you for coming. We've got some pink -- if anybody came in late and you'd like to speak to the committee, Mr. Joe petrones has pink forms so please sign in. Mr. Levy, thank you for coming. >> Pool: Mr. Mr. Levy starts, you had introduced him as a public of the public safety commission so I was going to ask, are you speaking on behalf of the public safety commission here today or as a private citizen? >> I think you have to ask the chair because the chair asked me to speak. I can -- me to speak. I have the experience from the approximation, and I can speak on that as well as the previous topic very briefly, hazardous materials, which were talked about. But I've also been to two doctors and I've got ems going back to 1976 so I have that perspective. But I was asked by the chair to speak, and I guess you could say I'm

wearing two hats. >> Pool: I'd just like to make sure we're clear because I don't know that the public safety commission had met and vetted out what you were -- so you're not bringing the resolve of the public safety commission? >> Actually, anything I say has been discussed not once, not twice, but many times. So I'm not saying anything

[5:19:23 PM]

that hasn't been discussed several times by the commission. >> Pool: But it's not coming as a resolution -
- >> No, ma'am. My -- am I the messenger? No, ma'am. >> Pool: You're here as Mr. Levy? >> Yeah. I can't
-- >> Pool: That's great, thank you. >> Yeah. Does that make sense? >> Pool: That's very helpful. >> Okay.
>> Pool: Thank you. >> One quick thing on -- two years ago, we very strongly recommended that the --
we do a survey of transportation of hazardous materials, but the concern isn't trucks, it's railroad. We
have about 20 long trains coming through and those tank cars. If you look at the curve where it crosses
the lake and heads west, there are apartments within about 25 or 30 feet. It's a little scary. On the issue,
mal of the medical director, we're spending about \$1.5 million on the office of the medical director, the
second highest paid position in the city, and , again, I've been associated with the program since 1976. It
beats me on what we're getting out of it. There are better ways to get a better product for less money.
On the subject of merger, consolidation, whatever you want to call it, two observations. Number 1,
there are very few -- there are a lot of smart people in the world, but very few of those smart people
have wisdom and common sense. Tony and bob have wisdom and common sense, and I think when you
talk about issues like this, you can listen to them and believe what they have to say. I think these are
two people for whom its pathologically impossible to lie, cheat or steal. They will tell you the truth and
the truth is always bailed on wisdom and common sense, which is -- based on wisdom and common
sense, without being cynical, I suggest it cost costs me, that's not always the case in this building.

[5:21:24 PM]

Merger and -- or consolidation is possible. We've been talking about it for two to three years. We don't
see it as merger or consolidation but as a new public safety model that would better serve the needs
and interests of the community. How to do it requires discussion. How to do it requires the participation
of the folks who have actually the boots in the field, who are delivering. They have to have buy in. And,
you know, career ladder opportunities, it can better serve the community. You know, there are just a
whole bunch of things we can do with it, but we can't do anything now until we solve the very profound
challenges facing both programs. We were talking about the medic one, medic two program. When it
first came through our -- to our commission, we said no and the council said no. Then it came back
around and they promised, the staff and the medical director, said, okay, what we'll do is we'll limit it to
four inner city stations and we'll see what happens and we'll come back to you. Next thing we know, is
they're rolling it out. We said, wait a second, time out. Y'all promised that you would come back to us
without rolling it out. And they said, well, the manager said it's an operational decision and we're going
to roll it out. Basically, you had a choice between two paramedics, two years of college, or a paramedic
and an emt. An emt, I'm not going to say it's advanced boy scout course because there's various levels of
competencies. The firefighters are trained as emts and they're very good, high level of proficiency. I'm
trained as an emt, and I really don't think you want me taking care of you.

[5:23:25 PM]

[Lapse in audio] >> In making sure they each have the same interpretation, making sure the drugs are
pushed in the right dosage level, in the right order. That takes really skilled people. Experienced --

acknowledge the fatigue and morale are major issues. [Lapse in audio] The pay is great, and the pension program is pretty good. Not as good as it should be. Those are profound problems that paramedic one, paramedic two, emt, paramedic problem, it's huge. We've got to get the problem solved. Once we do we can begin discussion on a new model. We don't need to talk about conversation, merger -- consolidation, we're talking about a new model. If there's something I can close with is, again, to come back to Tony and Bob. I'm not seen up here that much. Phone number call away. Bob and Tony are seen up here a lot. You can trust them. Can I answer any questions? >> Zimmerman: Any questions for Mr. Levy? >> By the way, the issue of transportation -- the transportation issues of hazardous materials, it's a biggy. We made it a big deal two years ago. It went nowhere. Supposed to be presented to the council, and it never was. >> Zimmerman: Okay. Yes, Mr. Levy? >> Mr. Levy, even if you -- you may not be as close -- >> -- Councilmember. [Laughter] >> Zimmerman: Okay. Could you -- before you go, you are going to be back on the public safety commission. Is that correct? You are going to be back from district 10 on the commission?

[5:25:27 PM]

>> I'll put it this way, sir. If I show up floating in labor late tomorrow, the line of people at the policing station will be a very long line. In other words, the possibility -- I should be, but it's still -- the day is young and it's problematic, okay? >> Zimmerman: I'm going to count on our being there. >> Thank you. >> Zimmerman: Thank you very much for your service. >> Yes. >> Zimmerman: All right. We have one person who has signed one of our pink forms. If anyone would like to speak, please fill one of these out in the back there. Mr. Jonah Wolf. And I'm going to set the clock at three minutes, Mr. Wolf. >> Thank you very much. I can start off by saying that I started with EMS in -- >> Zimmerman: Sorry you have to start off by saying who you are. >> My name is John Wolf. I am a former field training captain with EMS. I started in 2002, and I separated in 2013 to finish my master's degree in public administration with a concentration in EMS. So all of my background is either with EMS or studying EMS. From what President Nicks said, President Marquardt and Mr. Levy, I don't necessarily disagree with some of their opinions on the timing of it. I think just like Councilmember Pool mentioned about dual paramedics, going back to that, would definitely assist. There's so many critical issues that are going on with the department, as far as the morale and the turnover and the mental health issues. I know the peer support group has been functioning, functioning well. In May they had 138 incidents

[5:27:28 PM]

in which someone from the front-line staff contacted them to reach out for some sort of mental assistance. I did a comprehensive analysis in the spring over the entire department, and I think the exodus of Dr. Henshi kind of lays the foundation for further changes to occur. And, you know, like Mr. Levy said, you have to buy in, and in order for both department personnel to have adequate buy in, some other things are going to need to change prior to that. When you have one of the two leaders of EMS kind of jump ship on you, it's kind of hard to have any buy in as a medic supporting the executive leadership team. So there's a large communications issue between the front-line staff and the executive management. There's been questions about their leadership, just like every turnover, the executive leadership team and most departments. It occurs about the same time. So this mistrust that the employees have about their leadership and management is very concerning. So I think that's the number 1 thing that needs to be addressed. As far as the merger between fire and EMS, my recommendation would be to put together a team of personnel to research that, look into it, not just table it, but go ahead and start making the efforts to dig up the data and information that's going to be necessary in order for y'all to make a proper recommendation and it be presented to the constituents. --

foundation that's necessary if it comes up again.

[5:29:29 PM]

>> Zimmerman: Okay, thank you very much, Mr. Wolf. >> You're welcome. >> Zimmerman: Any questions? Yes. This is for general citizen communication. We do have general citizen communication we were going to do at the end of the meeting when we get done with all the agenda items. Yes, go ahead. >> Houston: Okay. Members of council committee, I just want to say that I'm very supportive of both the fire department and emergency management system. This kind of took me by surprise so I'm very glad to know that there have been some efforts in the past, starting back in 2013, to at least start this conversation. One of the things as I listened to the things that could be done differently or better and some of the issues that emergency management has had in the past several years with the medical director is that we didn't talk about -- anything about diversity and the fact that the fire department has a problem with diversity that we're trying to correct now. And as I talked to Tony about the lack of diversity in the emergency management system. So as we start having these conversations, I want to ensure that the fact about diversity is included in those conversations as we move forward. >> Zimmerman: Anything else? Well, with that, appreciate all of you coming to speak on this. Again, this was commentary to kind of open the discussion and see where we wanted to go. Is there any more -- any ideas from our committee on maybe a team to look at this, naming a subcommittee or task force or -- if there's any interest here, how would you suggest going forward on the question?

[5:31:29 PM]

>> Houston: I think there are multiple issues here and I don't want us to get bound to one because the issues with emergency medical services is very different than merging with ems. And I think we need to try to help sort out where they're going, what their core issues are, and help get that stabilized. At the same time, I think the fire department needs to get stabilized with what their role in and how that path is going to continue. And then at some point, as I think Tony mentioned, a horizon outcome would be then to look at putting those things together. I don't have a feel one way or the other at this point, but I think each department has some issues that they need to be concentrating on. Some -- core issues, and I don't know that -- it seems kind of schizophrenic to me to try to do both at the same time. >> Pool: And I agree with that, and -- which was one reason why I was going to suggest simply tabling it because I didn't see that the issues were right for action at this point. But I would trust that Mr. Marquardt would continue to keep us apprised of actions that happen do you know the line and I think with Dr. Henshi leaving that does bring the council in I think at a different point to -- and I'd like to understand what role, if any, the council has in that, that hiring. Because I'm not -- I'm looking at Mr. Arellano there directly. >> Zimmerman: I think that would help, Mr. Arellano, if you could address that. >> Pool: Let us know what our role would be. >> I'm sorry, in terms of recruitment for a new medical director? >> Pool: Maybe not so much the recruitment of, but he is not an -- the council doesn't choose the medical director,

[5:33:29 PM]

is that right? >> That's correct. He's within the city manager's organization. >> Pool: Right. I would want to make sure that we were both well-informed and what it requires of us. So I just want to stay really up to speed on what's going on and I think we can feed in some suggested information and we can learn from previous situations and maybe not repeat mistakes and maybe take the opportunity to change some things about, for instance, having a contract. So I don't know how that would fit in to a hiring situation where it would be the city manager who makes the hire. If that's an employee without a

contract, are there accountability requirements? Is there an annual review? Like the rest of the assistant city managers have an annual review process. I would like to see that extended if that's -- that would be a consideration. And I want to be really careful. We can't say we are requiring this because it may not be within our purview. >> Right. >> Pool: But I think there would be a general feeling that that might be a good thing to do. >> So I understand the interest and the requirements that we'll be trying to meet when we look at recruiting for a new medical director, so we'll take that all into consideration and certainly keep the council involved as we make progress toward positions in that realm. >> Zimmerman: Let me ask a follow-up commission on councilmember pool's remarks. Help me understand this line between, you know, what the city manager's office would call operations and what councilmembers might call policy. Some of the objections or some of the problems we've heard from Mr. Marquardt, especially the one about not being able to find recruits or being able to find people or having some issues there, I would tend to think that there could be

[5:35:30 PM]

policy issues the council could address that could maybe fix some of the operational problems. But it might be different from your point of view. What are your thoughts on that? >> So it probably could be different from different perspectives, and would I almost have to say that depending on what the issue is, the answer is it depends on whether it's an operational or policy issue. So and that's, I guess, an artful way to dodge, if you will, because it will be situationally dependent on whether or not it's a policy issue or operational. But in terms of what heard you ask, those are mainly operational issues, in terms of why it is we're having difficulties retaining and recruiting personnel. It's something management is taking a look at and I certainly am working with the chief of the EMS system to see what we can do about that issue. >> Zimmerman: Let me give you a more specific example. Our committee considered the question of the new municipal court clerk and we heard some testimony from the presiding municipal judge that there were some concerns about operations, but it had a policy basis. And they pointed to local government code which said that the municipal clerk was supposed to report to or serve at the direction of the presiding judge, but in the city of Austin it was the other way around. So, in other words, it was operating based on a prior -- based on a operation mode that seemed counter to what local government code said. So we made -- I think we made a policy decision to say, you know, we think that we want to have the new clerk, you know, more in a role of reporting to the municipal judge, the presiding judge. So that's an example, right, of I think how our committee said let's make the policy change that affects the operations in a positive way. So perhaps we could do the same thing when it comes to the new medical director. >> And certainly we can take a look at that. Again, in that particular

[5:37:30 PM]

case, and I'm not as familiar with what existed prior to it -- the municipal court clerk's reporting relationship and so forth. It's clear to me in terms of what was in the local government code, as we've looked at it here more recently, as opposed to what might exist from an ordinance perspective and so forth. So it seems pretty clear to me in that particular case. In the case of the medical director, it seems also clear to me that that faults within the city manager's hiring authority. So -- >> Zimmerman: Go ahead. >> Cesar: I think for someone to report directly to the city council requires a charter amendment because I recall that we voted on that for a few positions recently. So of course I'm open to talking to my colleagues about what's in the policy/operational realm, I know it's gray the closer you get to the line. I'm happy to have those conversations offline and see if there's anything we can do. >> Zimmerman: Fine jive. >> Pool: Just one last thing would I say is I'm very sympathetic to the concerns that have been raised from our professional EMS folks, and just like we were very supportive of changes working with

the Austin fire association and with management, I would like to extend the same level of support to our ems folks and would commit to working as closely as necessary, and if it means a subcommittee or something like that -- I just don't know that we're in the position to know what that would be, but that could be a role further down the line. And I think Mr. Marquardt knows that we're here for him. >>
Zimmerman: Pat Johnson, is he in the back row there? No? Okay. All right. If we don't have anyone else, if there's no objection, our committee will be adjourned.

[5:39:31 PM]

And who has the time? Time on the computer? 5:39 -- yes? He was here earlier, but I don't see him now. All right, we're adjourned at 5:39 thank you, all. [Adjourned]