

Public Safety Committee Meeting Transcript – 08/24/2015

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>> Zimmerman: Okay, everyone. We have a quorum now. My name is Don Zimmerman, I'm the chair of the public safety committee. We also have with us our vice-chair, Greg Casar and we have councilmembers ora Houston and Leslie pool. So we'll start with full strength here. The time is 4:17 P.M. We're meeting at city hall, 301 west second street. So thank you all for coming. Let me briefly go over our agenda here. We wanted this to be mostly briefings. I don't think we have any action planned today, but we wanted to dedicate some time to go over the public safety budget in a little bit more detail. And we have some invited testimony. We've called for general communications at 6:40 P.M. I think Mr. Joe patronas is here. If you would like to speak on any of the items or anything not listed on the agenda you will be recognized and we'll get you on the record. That's time certain at 4:40. We'll get started. First agenda item is approval of the minutes. Is there a motion? >> I'll move. >> Zimmerman: So moved by councilmember pool, seconded by councilmember Casar. Any debate on the minutes. All in favor? The minutes are approved unanimously. The second item is city staff briefing regarding naming a new permanent municipal court clerk. And if we could do maybe 10 minutes on this because we're already a little bit behind. >> Casar: Before we get started, housekeeping, can you help us agenda what is still on the agenda and what it is that we plan to see discussed today and not -- because I heard a couple of different -- >> Pool: I saw a version that was only the number 2 with everything else removed. >> Zimmerman: Okay. Fair enough. So let's-- the latest copy that I have that should be

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the same as on the website is item number 2, city staff briefing naming a new permanent municipal court clerk. At 4:20 we had a staff briefing, invited testimony, policy discussion on municipal judge hiring practices. Item 4 at 4:40 P.M. Was staff breathing, invited testimony and policy discussion for A.P.D. Police department for the fiscal year. Item 5, 5:10 was staff briefing, invited testimony and policy discussion regarding E.M.S. For the next fiscal year. Number 6 at 5:40 P.M., same staff briefing and testimony, policy discussion on the fire department. 6:10 the same on code compliance. For the next fiscal year. >> Casar: Thanks. >> Zimmerman: Then our last item was the general communications at 6:40. Thank you for that clarification there. Can we get started? >> Good afternoon. My name is Sonya harry and I'm with the human resources department and I'll give you a briefing and it will probably be briefer than 10 minutes for the municipal court clerk recruit am process. Each one of you should have received a presentation of the slides I'm going through right here. So just going through in terms of recruitment review, again the position was posted between may 22nd and July 6. We reached out to 125 entities and we received 47 applications. We phone interviewed 11 candidates and we identified

with the public safety committee four candidates to move forward for in-person interviews. So in terms of interview logistics, without getting into too many details, we're still finalizing some of the logistics, but these are some of the key logistics that you need to be aware of. This Friday on August 28th between 9:00 and 4:00 we'll be working with two

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interview panels to conduct in-person interviews. Each interview will last approximately one hour. And a reminder email will go out to the public safety committee and the second panel with all the of the interview candidates' information and I will provide a comprehensive packet on that Friday to the -- both panels. On this timeline I would just like to focus your attention on the August and September months. As you know on August 5th we met with you and we identified the four candidates to move forward. We have a panel and a second interview panel and I've shared those individuals with you that will be participating on the interview panels for August 28th. It is our hope that at the conclusion of those interviews that the public safety committee will be able to identify a top candidate. In September, which is shortly following, we'll be coordinating background checks and reference checks for that top candidate or candidates and we'll be looking for the council to appoint a municipal court clerk based on your recommendation. Hrd will -- our human resources will facilitate any relocation if that is applicable at that time. And based on the appointment it will be determined when the new municipal court clerk will start. And next steps. Next steps is this Friday, conduct in-person interviews, identify the top candidate, conduct preemployment checks, draft a letter for approval, an offer letter, that is, appoint a top candidate to the position and have the candidate to start. Any questions? >> Zimmerman: Council have any questions for that? I think it's pretty straightforward here. Are all the -- everyone's

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been notified and the appointments are all set up for Friday? >> Everybody is queued up for Friday. And confirmed. >> Zimmerman: The only other question I had for our committee here is how we wanted to maybe score the candidates. In the unlikely event that we picked our top choice and then you did a background check and something turned out that wasn't good, then we would have -- our second candidate would come to the first position. I think we discussed that before and that we would rank them in case something happened. >> Numerical scoring. >> Zimmerman: I guess the other interesting thing is we'll recommend and the full city council is going to vote and they would set the salary and then that would be the final package presented so there could be another maybe unlikely event that the candidate says, that's not enough for me I don't want the job and then we would fall back to the second candidate in that case too. >> Exactly. >> Zimmerman: Thank you very much. Any other questions? Terrific, thanks. That would bring us to item 3. If judge statman was going to give us a briefing on a proposed appointment process. Thank you for coming, judge statman. >> Thank you very much. Judge Coffey is here with me. He's going to help me with technology because I am extremely nearsighted and I cannot juggle the powerpoint and my notes at the same time. So first of all -- >> Zimmerman: One other thing, we're a little behind times, so if we could go through them a little faster. >> I'll try to get through it fast. It's not very long. >> Thank you for the opportunity to let me speak on this topic. This is not completely out of the blue. We have recently had a few situations that have created the need for more judges. First is the retirement of judge John Vasquez. He will be retiring at the end of this month. He has been on the court for almost 20 years and it will be very, very hard to replace him. The second is a shortage

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of part-time judges who can work on short notice on weekdays or weekend nights. This is important because we have a contract with Travis county where we supply magistrates at the jail 24 hours a day, seven days a week. And there have been situations where judges have worked double shifts because there was literally no one else available. This is something that does not need to happen. Also the role of our designated juvenile judge has been expanding. This judge's responsibilities have increased because of a joint city-county truancy prevention program. What I'm requesting is the appointment of one full-time judge to replace judge Vasquez, three part-time judges and expand the role of the juvenile judge to 29 hours, which is a part-time employee or appoint as a full-time position if you feel this is appropriate. The good news is that none of these things result in any addition to the court's budget. The juvenile judge would be paid out of a fund that the court already assesses and the part-time judges are paid only when they work, and this is out of an existing budget. The city charter gives the council the authority to appoint judges. And in the past the judicial committee, which is now absorbed into the public safety committee, reviewed the applicants and presented a slate of judges to the full council for appointment. There is currently no set method. And in fact, it has been done differently every single time as far as anybody can remember. Sometimes with good results, sometimes with not so good results. So what I'm proposing today is a road map that I hope will first of all make things easier on you and help to identify good quality judges.

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First with input from the other judges we'll create a candidate questionnaire and that will inquire about their specific criminal law experience and training. The questionnaire, the updated job description and an application will be provided to hr and these materials will be posted on the Austin city jobs website and other social media. Currently we have a very, very diverse judiciary. Something that I am proud to be associated with. We have six bilingual judges, actually some of them are multilingual. We have judges of varying races, religions, political and social ideologies. And this makes for a very well informed and broad-minded court. So to preserve this we muffin exclusive recruitment. To that end I have come up with a list of bar associations -- these are local legal associations, and hr is going to provide the posting to these organizations and I'm also going to reach out to the presidents of these groups to let them know that we are looking for judges. The application process needs to be a minimum of 30 days and hr is going to collect the applications and screen for the following requirements. First is two years residency in the city and this is required by the charter. They must be licensed in good standing to practice law. And a preferred five-years experience in the practice of criminal law. The charter only requires a minimum two years experience practicing law, and we would like to define this a little bit. Hr is going to forward the qualified applications and materials to me and to any members of the public safety committee who want to review this information at that point. The first and foremost consideration is competency and judicial

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temperament. Now, judicial temperament is something that is very, very hard to define. It is not just knowing the law, it is a patience, a humility and an understanding that you are a public servant. Very little that goes on in the courtroom is actually about the judge. It is about the public. To examine these factors I am proposing putting together an evaluation panel. So I'll put together a panel that will have four or more judicial -- municipal, county or district court judges, and I've had five district and county judges who have already agreed that they would be willing to participate. The director of the Austin criminal defense lawyers association, and she is willing to participate. One or more prosecutors, the

chief prosecutor has indicated she will participate. And any other relevant stakeholders that we identify. Depending on the number of candidates with the minimum qualifications, the panel may rank them and choose to interview the top 10. The candidates are going to be interviewed by this panel with emphasis on their experience, their knowledge and that elusive judicial temperament. The panel will make recommendations. So I'm going to draft a summary of what the panel recommends. And I'll list the names of all the people who were participating. After considering all the information, the public safety committee can accept those recommendations or conduct additional interviews because ultimately it is your responsibility. When you have agreed upon a slate of judges, it's going to be presented to the full council by an appointment ordinance for a vote, and that's how it has been done in the past. And finally, one last little thing. It's an invitation to all of you or a shameless plea for attention from municipal court. I would like to invite each of you to come and tour Courtney time at

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your convenience, day or night. We will facilitate this to you. First of all, our employees, we are out of sight, out of mind. We are not as exciting as some of the other documents and it would mean a lot to them to have any attention whatsoever from city hall. And second, as you can see from the beautiful photographs, we have an aging facility and in the next few years council may face some very hard decisions about repairs, renovations or relocation. So we would like you to see it for yourselves so you can make the best informed choices possible. So with that are there any questions or any additional information I can provide you? >> Hi, judge statman, thanks for coming and making the presentation. I just have a quick question. With the number of part-time judges that we have, would it not be better to bring on an additional -- one additional full time in addition to the one that has been vacated? So that we have better coverage? >> That is a decision that is up to you. We do have one judge, judge Meyerson, who retired at the end of last year, and he was -- the prior council assigned him certain work hours, so it was a way for him to be able to retire as a full-time judge and come back as a part-time judge. But with designated hours. So we have not filled that full-time position. We certainly could. We have limited -- >> Pool: Do we actually have two then full-time fte slots that are actually open, but one is kind of encumbered -- >> One is half filled. So that's -- that would be your discretion whether you would want to fill it or not. Also, if you want to move the currently part-time designated juvenile judge into that

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position, that could be paid for by a court fund. So we would be getting two full-time judges, they would just be in different roles than one of them was before. >> Pool: So if I wanted staff to bring us some Numbers on that, Mr. Chairman, do you -- how should we proceed? I would like to explore filling the two ftes, one that judge Vasquez is retiring from and the one that judge Meyerson is encumbering as a part time, and look at filling those both as -- with full-time judges to get us back to where I thought we were actually. >> Is there anything that we can provide you from court as far as the salaries or hours or any of that information? >> Pool: I think so. I think y'all would have that information and ma then maybe some help from -- I don't know if human resources would help at this point. >> We'll put together some Numbers to kind of show what's going on, what we have now and what we had in the past and what we're proposing. >> Zimmerman: I was going to ask what metrics you use when you're looking at the load that the judges have. >> As far as assigning them? >> Zimmerman: Assigning them. Obviously if you get really busy there should be some metric that would indicate you don't have enough judges to hear the cases so dates are slipping further out calendarwise. >> Right now we've been able to keep up with our everyday dockets. So even with judge Meyerson at part time. We have filled a couple of those

dockets with full-time judges. The same time that council allowed judge Meyerson to retire, they asked me to designate a juvenile judge, somebody to hear only the juvenile cases, and we went through an evaluation process and that was judge Belinda Herrera is serving that. So the part-time judges who used to do the juvenile dockets now

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take up some of the dockets that would have been handled by judge Meyerson. So it's kind of been a zero sum, but what we are experiencing now is some of the part-time judges, they have other work, other full-time work. They're not available during the days when something comes up, somebody's sick, needs to be out, it's short notice, we don't really have anybody, or those evenings and weekend nights. >> Pool: So I think what I would like to see is some explanation of the agreement with judge Meyerson, including the hours and how many years that was -- was that in perpetuity or was that for two years? That information. >> I can answer that part. It was only until the end of this term, which we're about halfway through, slightly more than halfway through the term. We have four year terms. There's about a year and a half left. >> Pool: Okay. So we can look at that and it may be that we would look for two full-time judges to hire, and whether it would be during this round or not, but we might consider that. >> Okay. We'll get you that information. Is there anything else I can provide? >> Zimmerman: There is. Is there any advantage to having kind of a bench of part-time judges to draw from where some of the judges would have different strengths on what they're able to specialize in? One might be better on municipal law regarding code or property rights, somebody else is better on handling traffic tickets, et cetera. Is there any specialties like that? >> Well, we have the juvenile judge and it somewhat works out that way when we have these dockets, sometimes judges will say I am not comfortable doing that docket. Can you call somebody else in? And we know amongst ourselves there are certain judges that have certain strengths. We have one judge, clog

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clervy that handles all the environmental and most of the code cases, and those are one day a week and he's just done them so long -- he was a full-time judge so he kind of has that specialty. So we try to place people where they're comfortable and can do their best work. >> Zimmerman: The reason I mention that is that seems like maybe one of the advantages of having a bench of part-time judges is you can better have a specialty or some expertise in different areas. Because there's a lot involved, right, in the municipal law. It's a big variety of cases and it's hard for each judge to have a specialty in all these different areas. >> Well, it was not done intentionally, but it has worked out that way. >> Zimmerman: I do have a couple of questions before we go on to something else. I want you to back up to the evaluation panel and the notes that you put up. I really like the idea and I generally like what you're putting forward here. This is terrific. I just wanted to see a little more specialty diversity on that. You've got -- obviously the municipal judges are the best in kind of evaluating expertise for how a judge could do, but I would like to see that panel include -- do we have appellate lawyers that kind of specialize in cases that go beyond municipal court? >> I don't for this process. I do have the presiding judges of both the district court and county court as well as some other district and county court judges have agreed to be on it. The president of the acdla, amber Vasquez Bodie, has offered to be on it and has offered that she will recruit a couple of her members. And I can certainly inquire if there are any that have any appellate expertise. But we don't deal with many appellate matters at municipal court. And what we're trying to find is judges that really know criminal law. We are the gate keepers

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of the fourth amendment and we are just the first stop. We protect people against those illegal search and seizures and we also are responsible for determining can you search someone's home, can you search somebody's blood? So we want judges that know probable cause inside and out, know what they're doing. >> Zimmerman: Okay. On the same subject here, where are we on asset forfeiture? Confiscation of assets, if drugs are found law enforcement will come in and confiscate vehicles and whatever. >> We have very, very little to do with that at municipal court. There are some -- because we handle class C's. There are a few class C offenses where some property is seized. Most of these deal with stolen property or a pawn shop receives stolen property, the rightful owner makes a claim on it, the pawn shop makes a claim on it, sometimes the person who pawned it makes a claim on it. So we sort those matters out, but there's very little that we do at court that deals with asset seizure. >> Zimmerman: Any other questions? >> Houston: I had one for the staff. >> Zimmerman: Thank you very much. >> Houston: May I ask a question from legal, please? Anybody here from city of Austin legal? Thank you so much. Under the application process I understand it says two years residency in the city limits. That's a charter requirement. How did that slip in and other residency requirements for city

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employees didn't slip in? >> Lee Crawford, city law department. I'm not sure how that provision actually worked its way into the city charter. Obviously at some point in the past it was approved by the Austin voters to make it part of the charter. I think our analysis is that for the office of a municipal court judge that that's an appropriate requirement. And it's never been questioned to our knowledge. >> Houston: It was just interesting because there are other things that we don't require city residency to be a part of it, but this one did. I just was curious. >> Before my time. >> Houston: Thank you. >> Zimmerman: Thank you very much. That brings us to item number 4, staff briefing, invited testimony and policy discussion regarding the police department budget for the next year. We wanted to divide this in two pieces. We wanted to do 15 minutes for A.P.D. Staff to go over budgeting and then I think we had a couple of individuals I'd like to invite after that. So we'll kind of break this in half. So thank you, Mr. Manley for coming. We'll go ahead and get you started. I'll set the clock to 15 minutes and then I'll give you a two-minute reminder if we get that close. Thanks. >> Great. Good afternoon, council. Bryan Manley, chief of staff Austin police department. If we could get our presentation up I'll go ahead and get started. They should have come over last week. There should be one for police, fire and E.M.S. I'm going to go ahead and give you highlights. If you all have a copy in front of you I'll just work off of the

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printouts. Yes, that's the correct one. This is the presentation that we did give to council a few weeks back so I'm going to be a little bit more abbreviated in my covering it today and just hit the highlights and then if there are questions I'll address those. But on the first page when you look at the department overview, we want to hit on some of the select metrics for our key performance areas. These are the areas that we pay close attention to. Obviously we're looking at our property crime and violent crime rates. Austin is very fortunate to be the second safest major city when it comes to violent crime and I think you're well aware of our challenges in property crimes, but these are the metrics that we compare ourselves to. I think what's important on this page relative to this year's budget is the performance measure regarding our response times to emergency calls for service. As you can see we've got a goal of -- estimated 758 for the current year that we're in. A goal of 7:45. When we look at our performance to date right now what we're seeing is that our hot shot calls, the highest priority call we have, these are violent crimes that are in progress. We have a goal of arriving on these within 6:15. And currently year

to date we're at 6:41. So we are significantly above where we would like to be in a situation like that, those seconds are present. And in our urgent priority one crimes, these are the higher level crimes. Our target is an 8:07 response time and we're currently at 8:47. So this is relevant to the discussions we're having on our budget right now because several of the civilian positions we've asked for are in our communications division to assist with some of the challenges we identified back during the Halloween floods two years ago. And then also we've talked to you before about some of our staffing challenges being short staffed and the ability for our officers to not only

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have time for community engagement, but also the fact that they are running from call to call to call. It is delaying our responses to these critical calls. While also not allowing us the time we need for that community engagement. So that's one of the more important pieces of information on that slide on the first page. And again, in the interest of moving along, I'll just go to the next slide where you will look at the department uses of funds, the bar chart. I think what is of the greatest interest on this slide is that you will see there is a little over an 11-million-dollar increase in the neighborhood-based policing portion of our budget. Over 50% of the department's budget is allocated towards our neighborhood policing. And that is the frontline services that the citizens see on a day-to-day basis. So again that's reflected on this chart. You will see the current proposed budget has an additional 85 positions for commissioned law enforcement officers and 22 civilian positions. Those civilian positions are in the communications division and are open records clerks are the lion's share of where we need assistance there. The other thing that is of note here is you'll see that in this current proposed budget \$70 million is actually classified as support services. And these are dollars that pass through our budget. So they're earmarked to go to the city's ctm or the radio shop, wireless shop to outfit our vehicles. So the dollars show up in our budget, but they're actually dollars that flow through our budget to go to the services that we pay for. And that's done in an effort to have our department best reflect what it costs to operate day-to-day. Moving on to the next slide, this is where we will look at the staffing models. And I think that we've talked about this a couple of times before and I have every expectation we'll talk

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about it again today. And this is our current proposal to switch from methodology we've used in past years of having a certain staffing level based on population to what we think is the more appropriate and more responsible way of looking at community engagement time. And what we're looking at is the amount of time an officer has where they are not tied up on calls for service, traffic stops, subject stops. This is the time the officer has to truly make those connections with members of the community, with businesses, to establish the relationships that are so important when we end up finding ourselves in the middle of a critical incident or as we've seen across this country many times over in the past year, year and a half, what happens outside the boundaries of our city or our state still impact us here locally. And again, having these relationships in place, having a community that truly understands the heart of the organization, the heart of the men and women in the organization is critical. Having our officers have the time to stop during their day and not run call to call, but to go into that business, spend some time with that business owner, talk to them about target hardening strategies, ways they can avoid becoming a victim. To stop at the neighborhood park when there are kids out there that maybe only get to see officers in more of a negative context due to the conditions in which they're being raised. To let them see police officers in a more positive light. And again, I think all of these things are of the most important when we find ourselves in the middle of some of the critical incidents that we've seen occur across the country and then a few of them here locally. So this model here is a five-year approach to

getting us to a 30% community engagement time. And the -- based on current Numbers and current call loads, we need 410 additional positions. That includes supervisory positions to reach this goal of 30%. We're looking at doing

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this over a five-year implementation period and that's where the first 82 positions that you see in the proposed budget come from. These officers will all go to frontline patrol services. They're not going behind a desk, they're not going to specialized units, they're going to go to patrol. Those 82 include the supervisors as well as the frontline officers. The first 24 of those positions are slated for training shifts and the remaining 58, I believe it is, are going to go to patrol shifts just across the city. The purpose of that training shift is we are unable with current staffing models to take a shift offline. Every shift has a responsibility for four days a week, 10 hours out of the day, and to take a shift off for an entire week is not something we have the ability to do. And that is a best practice to allow a shift to train together with the officers that they will respond with in some of the most critical or dangerous calls that they respond to. So by creating these two shifts of 10 officers, two corporals and two sergeants, they will not have an assigned district, per Se, but instead they will go relieve a shift for a week while that shift can go and take care of all their mandatory and then other preferred training working as a team. And we don't lose the frontline service that would come with that. And then the following week the shift would return to its regular schedule and that training shift would just move to another part of town. So this is something we believe is very important. We believe that this also allows us to again maintain the level of service we have to in the community because while the officers are tied up doing both their mandatory and preferred training, we're still having officers on patrol in their place, not only handling the calls, but engaging the community. So that's what we'll do with the first 24. The remaining 58 we would create additional patrol shifts.

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We look to put these shifts across the city and these would be working in the evening time hours because our analysis shows that a majority of the priority calls as well as the lengthier response times occur in these evening to nighttime hours. So that's where we're looking to add additional personnel to patrol. That's also opportunities when neighborhood events are occurring, when business -- you can catch the evening business shifts and all of that tend to be when the crimes are occurring. So we believe that by strengthening our patrol availability during those hours that we're going to see not only an improvement in the crime rates, but also more opportunities to engage the community. This chart has two lines, as you'll see on there. I hope yours are in color, but the blue line is actually the sworn staffing and that's where we've just got a straight line addition of 82 officers per year. And then the red line is what we expect to see is the increases to our community engagement time. And as you'll see, we're projected to hit our goal of 30% in fy 19 under the current plan. We will reanalyze these Numbers each year because right now the number is 410. Next year when we get into our budget preparation cycle we will have to look at where are we with response times, where are we with how much time our officers are spent committed to calls for service, and therefore we can recalculate to make sure that these are still the right Numbers. At some point we're going to recognize efficiencies to where when we implement technology across the department, it is often a forced multiplier for us and the likelihood is in the years to come we may be able to implement a technology that makes us more efficient or reduces calls for service. We may look at our response protocols and make adjustments so this

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is what the data looks like today based on today's Numbers and today's projections that it would be 410 at 82 a year. That's a number we will reevaluate year to year as we work towards our five-year goal of 30% community engagement time. And moving on to the highlight slide, this is a breakdown of the increases in our budget. You will see that the 82 sworn positions for patrol that I just spoke to is a 6.6-million-dollar expense. Part of that is full-year funding, the training shifts that I just spoke to of the 24 positions. That would be full-year funding. The remaining positions, the 58 for the additional patrol shifts, that is mid-year funding. That is six-month funding. So that's how that is outlined in the proposed budget that you have before you. In addition to that as you will see there's a 1.9 million line item and that is the analyzed costs for the -- an wallized costs that we had midyear in our budget year. And so we received midyear funding last year and so that 1.9 is to bring that funding level back to full-year funding for the officers that we received last year. There are three additional positions also in the budget. We have a sergeant and a corporal for property crimes task force. We spoke to you before about the challenges we've had with property crimes. Out of our current resources we actually dedicated 10 officer positions to create a street level task force that will go out and will do hot spot initiatives, working on all of the data and the intelligence that our research analysts are putting together for us. We did not have a corporal or a sergeant to allocate to this project so we need to have a corporal and a sergeant so that this seem has effective supervisor and can perform what we expect of them. And then additionally we have a sergeant for our pal and our explorer program. That is a very important

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project for our department. This is where we do the lion's share of our outreach to the youth in our community. Most of the youth that we do our outreach to don't have the ability or the access to a lot of the summer programs or summer activities that other kids may have. So often times the programs that we offer are some of the very few that they have access to. We have a great group of people that work in these programs, but the sergeant that oversees our pal and explorer programs also oversees our office of community liaison, our community protection team, our public information office, and all of these divisions are housed at different locations across the city. And to have our programs that involve all of our youth, we take these youth out of the city for competitions, there's a lot of liability there and we want to make sure that we are giving it the appropriate level of supervision. So we feel strongly that we need to have a supervisor dedicated to that program. >> Zimmerman: Mr. Manley, we have one minute or so left. >> Okay. The remaining that you will see there is the 1.1 million for the civilian positions in the communications division and then you've got the 100,000, to give you a round number, for the two positions in our central records, our open records requests have gone up six fold I believe in the past five years. And we need additional staffing there to keep up with the volume of open records requests we're getting. And we only expect those requests to increase significantly once we implement a body camera program here in the city and so again, we've got some challenges there. The next slide is just simply our capital highlights looking at the capital improvement funds that we have. It's our mounted patrol facility, our park patrol facility and then the northwest substation. I think you're aware we've got funding for the land and the design of the northwest substation, but no funding is allocated for the buildout yet and we're currently working to use the park patrol

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to build out a shared facility with the park unit and the A.P.D. Unit, but we're underfunded for the renovation of that building at this point. So that's where we're at with that one. And that is the conclusion of the presentation. >> Zimmerman: Let's see if we have any questions here. [Buzzer sounds]

You were very good on your timing. No questions? Go ahead, councilmember. >> Casar: I imagine you usually don't get as many questions about grants as you do with expenditures. But I did get some questions from the community about grants because what we've seen in the community about military operations and militaryization, some of the equipment I know comes in the form of applying for federal grants. And so in the grant section that we have here in the budget or in any of our capital expenditures that we're planning this year on spending money or applying for any money for source of things that we've seen in some of these communities, camouflage, military grade, be it defense or for police officer's defense or swat teams, any of that sort of equipment? >> We do acquire equipment through the 1033 government program, military surplus, where we can actually take possession of those. Often times it's at no cost. Sometimes you have to pay the cost of shipping. So we have received equipment through that program. I think what you're seeing across the country and what has become challenging in some communities, I know in particular is smaller agencies that have taken delivery of what's called the Mr assistant armed carrier, we do not have those, we have no intention of getting those, we have no queue use for those here. We're not seeking grants right now for the purchase of the military style yes that you're speaking to -- style equipment that you're

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speaking to. We do have a tactical team in the city as most major cities do. They are currently equipped -
- I was before you last week getting them the night vision that they needed. We do have a team that is capable to protect our citizens when situations like that arise, but we do participate in the 1033 program, but it's not for the military style vehicles that you're referring to. >> Casar: Thank you >> Thank you, chief. I have a question, how many sworn officers do we have that are part of a federal task force? >> I'll have to get back with you on that. I don't have that exact number in front of me, we do participate in various federal tax forces mostly through our organized crime division, I will write that down and get that back to you, councilmember. >> Houston: Thank you, you have some other things to get back to me, also. >> Yes. We have several budget questions, we're pretty close on most of them. >> Houston: Thank you. >> Zimmerman: I'm going to offer a final question or comment as a segue. We have some invited testimony here to make a few remarks on this. When we add staff, we are adding a burden to our pension system for the police department. One of the things that has never come up really in any depth, where are we on the pension funding, how would these new additions to the force affect the stability and the solvency of that pension fund. And so is there a reason why the pension situation so far in the comments that I've seen and in the presentation that you just gave us, it's never been mentioned. >> It's not a part of our actual budget Numbers, I guess, it's part of the per arrive ral costs -- peripheral costs. >> It does have a serious impact. When talking about adding personnel it does have a serious impact on the

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pensions. >> The city has a contribution rate per employee to the pension system. >> Zimmerman: And some commitments that we're obligated to I guess because it's defined benefit. So irrespective of what happens with the economy or stock market, which has been tanking lately, we have that obligation. >> It is a defined benefit, yes, sir. >> Thank you very much, Mr. Manly. >> Casar: Chair, question for the assistant chief, I want to mention it here for those of us here on the dais, I know that councilmember Houston has some pending questions and -- the police department has been very interested in several of those. Now that we saw the municipal court clerk and A.P.D., there will be questions about revenue generating by tickets. I'm pleased that's not a metric that we use here, but I think it would be interesting information for us how much revenue and making sure that we don't incentivize too much

overticketing in order to generate revenue for the spending that we do. Finally the question that I've asked I think several times during this session is I think there's so many [indiscernible] At least many of the folks that I have spoken to in my community, about whether and how we can ensure that the community engagement time that is available to officers is utilized for that sort of community engagement. We will continue having that conversation through the budget sessions. As you've indicated it's time that's available for it. But exactly what that time will be used for is I think of key interest I think to the councilmembers to make sure any engagement time that we make is -- >> Certainly, there was actually a great article in the New Yorker, I believe it was last week, that I had forwarded to me. It talks about NYPD's effort in this very arena. They do as we've discussed before. When that officer is going to take time out of their day to do community engagement. They go out on the radio just like they were stopping traffic or responding to call, they go out to community engagement and log

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their location, when they clear that, they go back in service so we could track the time. We would do something very similar because again the purpose of this is to get that time to engage the community. It's not to get the time to put towards routine -- >> Casar: So can you go ahead and forward along that article because I love that magazine. But furthermore -- that sounds so snotty, are right? But beyond that, also, that information that you may have about how you intend to track that time, we still haven't received it, I don't think as a council, even though I have requested it. It would be helpful to be able to take a look at that. >> I will get that to you. >> Zimmerman: Councilmember kitchen. >> Kitchen: Just a quick question, thank you. Just as a follow-up to the chair's question. So I just wanted to make sure that I understand, so the pension contribution doesn't come out of your budget, right? It comes out of hr? Maybe you know this, councilmember Zimmerman, but what budget does it come out of? >> I'm going to defer to one of the budget personnel because it may be included in the soft costs per officer. We have costs per officer for the salary and also all of their pay and benefit, I know that includes health care and all. >> I thought it did. >> I think it includes the pension contribution, but I would defer to -- ems make -- do you have the. >> Good afternoon, mark Washington. Each department is charged the amount of contributions for their associated costs for pensions. So in this instance, I think it's approximately 21% of payroll for salary for the police department. And that should be reflected -- I, too, I don't have the budget document before me to tell you whether that's reflected in their department budget. >> Kitchen: So basically all of it comes out, health insurance, pension, any of that is loaded into the cost of the fte and it comes out of that budget, right? >> Yes, we do -- it is included in the total cost

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per officer, yes. >> Zimmerman: That was my understanding, too. The point being is it sufficient to cover the defined benefit obligation? You know, which is dependent on the markets and a number of things we don't control. So-- well, thank you very much. I wanted to ask if Mr. James quintero is here, with the public policy foundation, he has a lot of expertise in in some of these public financing measures. Also bill Worsham, he's here, he serves on the public safety commission. I believe he's got data as well. Sorry for being behind. Let's see what you could squeeze in, in about five minutes. I'll set the timer there and see how far we can go for Mr. Quintero, you start first, please. >> Thank you, my name is James quintero, at the Texas public policy foundation, located just a few blocks north of here. I appreciate the invitation to be here today. My organization, which is a free market oriented group, takes an interest in the public pension matter because I think we see trouble on the horizon. When you look across the state you see \$58 billion in unfunded liabilities, you see state and local retirement systems teetering on the brink

when it comes to funded ratios. A lot of the plans that we're looking at have amortization periods in excess of 40 years or in the infinite period, which means they don't have plans. They plan to fail. When it comes to the city of Austin, I think we see some particular trouble when it comes to Austin's police retirement fund. When you look at the unfunded liabilities, we see in excess of \$300 million, this is as of June -- June 2015. On a per active member basis, what you see is that unfunded liability translates it into \$176,000 per active member burden. That is rather large. When you look at their funded ratio, the funded ratio is sitting at about

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66%. As a -- as a fiscal hawk, I prefer that number closer to 100%. But most actuaries will tell you that as long as it's above 80%, then it's generally considered fiscally sound. Again that number for -- and currently it is 66%. When you look at the plans amortization period it's sitting at 28.9 years. That's outside the pension review board's recommended period. So we would like to see that number brought down below 25 years and into better shape. Now, all of that said, I think some of these Numbers are actually understated. The reason being is that some of the actuarial assumptions used to get to these Numbers are a bit overblown. So when you look at the assumed rate of return, what the Austin plan uses is 8%. The plan estimates that it will receive an 8% year over year return, but when you look at the actual rate of return, this is over a 10 year period, it's closer to 6%. It's 6.15%. And so when you take into account the actual rate of return, again, those Numbers, the unfunded liabilities, the funded ratios, all of the other metrics are probably a bit understated. Now, at the core of the problem, in our view, is the defined benefits system. This is a system that I think is outdated and it really provides very little predictability or sustainability. And I think what you see in response to this, by the private sector, is a moving away from the defined benefit model and into a defined contribution system. Which I think offers greater flexibility, more sustainability and more reliability. So that we can provide our employees with greater retirement security. And so ideally, from our point of view, what would be an ideal solution is to transition into a defined

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contribution model for new employees, leaving alone existing employees. So with that said I will donate the remainder of my time. >> Zimmerman: If I could ask Mr. Horsham to add a few comments and we will open it up to see if anybody has any more questions. >> Gel, my name is bill horsham, I am a new member of the Austin public safety commission, but I do not represent the commission before you today. In any way. I wanted to mention briefly three things that relate to the current budget proposal by the city. By the police department. That's mainly the extra labor positions. There are currently by there 40 civilian open unfilled positions, about 80 open cad December positions and about 107 open sworn officer positions. That have been outstanding over -- up to and in some cases over a year. I just wanted to point out, as you heard before, some of these positions are the new positions over and above that are funded for half a year or full year. Well, the next available academy of 50 cadets is scheduled to start in March. Just looking at the -- the vacancy -- >> Zimmerman: March of 2016. >> March of 2016 and will go for eight months. So any cadets that go through that academy will not be sworn officers this coming fiscal year. But not only that, the add transition rate is probably at least 50 in a year. So I think we'll be doing good just to keep up with attrition, you know, at 50 or even 100 positions and so I think we'll be doing great

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to fill the 107 positions that are open today and the money is -- I would assume already in the budget for those. As it is already in the budget or will be added to the budget for as you saw for the so-called fy '15 positions. That essentially still haven't been filled from last year. Seems to me that we are getting redundant labor budget that cannot be sent for that labor purpose and -- spent for that labor purpose and I would assume it would go to other parts of the budget that don't come back to you for discussion. So that was kind of one thing. There are just in terms of incentives briefly I wanted to touch on. We mentioned or you heard before looking at metrics like traffic fatalities or the response time to emergency calls or the rates of either property crime or violent crime, we're tracking those and those are essentially the metrics that you're shown. But so what does success look like? Because it seems -- [lapse in audio] Seems like no matter if we're -- if we're looking for performance metrics, it seems like that's kind of a backwards way to look at it. I think as a council and hopefully as a commission, we'll be able to look at some ways to look at some metric that's we can actually evaluate performance. And I'll leave it that way and -- >> Zimmerman: Let me just say quickly, I mentioned before I thought a sensible metric we already had in place was the rate at which we solve property crime. So if we're at 13 or 14% of

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clearing or solving the reported property crimes, then you're suggesting that if we want to add officers, we should say okay we're going to add this many officers and we expect that to improve, 15%, 20%, so we want to see more crime solved if we hire more police; is that kind of what you're saying? >> Sure, I think the type of discussion, having that type of discussion about what do you want to focus on? Do you want to focus on subject stops or do you want to focus on the community involvement? And absent some guidance from the committee and the council, and some real ways of measuring performance and, you know, whether that's the performance of -- of the department management or city management, to -- to convert your desires into actual pledges, it seems -- actual implementation seems like at the moment there's a disconnect. In the budget process there doesn't seem to be a connection at all between what your priorities might be for 50 or 400 new officers and what priorities might ultimately be implemented, you know, how do you know that it's not going to go to traffic stops and subject stops and organized crime versus, you know, that additional -- those additional hours going into the community. >> Zimmerman: Any questions on this? This is very interesting. I would like to, if you guys could stick around for a second,. >> Casar: I think that you were calling up the assistants chief -- [multiple voices] >> Zimmerman: If we could have a little back and forth it might be very helpful. >> It was helpful to hear Mr. Horsham's analysis about 107 vacancies for sworn folks plus these 80 something in this proposed budget, but that's about when the assistant chief stood up. I would love to hear in your calculations how it is that you are incorporating

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vacancies, how many of those there are and how that works out on a.p.d.'s side of the calculation. >> If I may, will I will go over where we stand now and our plan to go forward. Currently talking about sworn positions we have 112 vacancies right now. Keep in mind we had 59 new positions added to our budget in April. When those positions add to our budget they come as automatic vacancies, that's an automatic inflation that occurs every year when the new positions roll into our budget. The commissioner horsham was correct, about three and four a month. The one thing that we haven't talked about yet, when we're talking about the budget and all of that, that is salary savings. We are actually budgeted a line item for salary savings this year for the Austin police department. It's proposed at \$12,025,000 that we are expecting to basically save because we know that at any given time we will have vacancies in the

department and so when we are given a budget, I believe it was referred to as this money stays in our budget and you never see it again. There's actually a line item where you do see it again. This year that expected line item is \$12 million that we are expected to save in our salaries. The way we do cadet vacancies, we have 117 cadet vacancies, they are permanent, they are always on the books. Cadets flow into and out of those vacancies. So when we hire, let's say for round Numbers we hired a class of 50, we currently had the 117, then we would just simply deduct the 50 from that and ultimately we would show that we had 67 cadet vacancies at that point, but as soon as that class graduates, we have 117 vacancies again. That's how our budget works when it comes to cadet classes, we always have 117, but -- but cadets flow into and out of them. So you're always going to see a large number of vacancies there. That's how that works. >> Casar: Sorry the cadet vacancies are the same thing

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as the sworn officer vacancies that you mentioned at the beginning which is your 112 or separate. >> They are different lines, we have 117 positions, so when you look at our -- the presentation that I gave earlier, it had roughly 700 civilian positions in it, 117 of those are those cadet positions that they are there as placeholders so when we get cadets they sit in those positions, when they graduate they graduate into what now is 112 number for us, they take up one of those, that's how it processes through. We do have a cadet class, just to give you the Numbers, we have two classes in session right now, we're starting a class in November of this year. We're targeting 50. We might get 60 in it, but we're targeting 50 at this point for November of this year. We have another class in March with a target of 50 to 60, then we have another class in July, the July class will be a modified class and this is for officers who have previous experience with other agencies. It allows them to get through the program in 18 weeks instead of the 32 weeks we do for a new hire. So currently what we're projecting for is for 130 and then if we were to get the positions added to our budget, we would look to make that March class significantly larger. We'll recruit heavier and we will pull more into that. So the challenge is for -- challenges for us are twofold. Number one, whenever we get the allotment of them into the budget, they automatically come in as vacancies, it artificially spikes our vacancy rate and the -- I'm sorry, I'll leave it at that. >> Zimmerman: I was going to say, it makes it confusing here. I am not quite understanding the significance of picking an arbitrary number like 117. For administrative purposes you said you always have 117 vacancies. Maybe you got some reasons to do that, but it kind of muddies the water for what we're trying to figure out. The couple is voting on a number of positions, right,

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for sworn officers. I don't know, I don't know why you are doing the 117, we're trying to figure out so what is the actual vacancies or what was budgeted in the last year. A certain number of positions you budgeted for -- >> Last year we added 59 positions. >> Zimmerman: Still didn't answer my question. So there's a total number. That the council has funded. And then there's a certain number that are being paid during the year. >> Council will fund 117 cadet positions knowing that we will then in turn give vacancy savings back each year. >> Zimmerman: I still didn't get an answer. This is what we're budgeting for, this is the number that we've actually paid. >> Correct. Right now our current authorized is [indiscernible], so in next year's budget you will be funding us for 1787 to continue ongoing operations and then whatever you as a body choose to give us in additional positions will also be added into that budget to fund that. >> Zimmerman: So in fiscal year -- the fiscal year that's just ending, we had 1787. >> Yes. >> Zimmerman: That's what we budgeted for. So how many people were we paying? >> We budgeted for 1787 in the last fiscal year and we paid how many people working in that fiscal year. >> Right, that's a number that changes weekly as people retire and then changes in larger Numbers when

we graduate cadet class. We put 40 new officers on the street, we increase the payroll by 40 officers if we have four officers retire at the end of the month, we've just decreased the payroll by four for there. So it's a moving target. That's why again we are budgeted with the salary savings this year \$12 million. >> Zimmerman: But it's in the ballpark of 1720 people? If you look at some kind of sensible average? There's a way to kind of calculate figuring it changes from month to month, but there's a way to come up with a -- >> We estimate our staffings at about 88% at any given time, that's what we based

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our staffing model off of when we looked at coming up with how many officers we needed to reach the 30% community engagement time. We estimated that on 88% staffed at any given time. I will tell you about three years ago, we graduated a cadet class and we were 100% full, we were full for a few weeks and then we started with the retirements. So it's the constant ebb and flow of the retirements, resignations, graduations of cadet classes and then the additions of new ftes to the departments each budget year. >> Casar: I appreciate. I think I now understand the cadet vacancy portions, thank you for that. As far as the sworn vacancies. At 112 now, if we approve 80 something that goes up to about 200. You are rolling up cadet classes, the idea would be next year potentially 150 more police officers even though we've only budgeted -- even though we budgeted 80 something odd in the proposed budget, 80 something odd positions additional next year. What you are saying it would actually -- you are calculating with your community engagement time graph actually 150 more people okay the ground. >> The community engagement analysis that we did would be based on having 88 percent of the available officers. Right now 1787. Then that number, depending on what you as a body choose to do would increase. So we calculate knowing that we will have 88%. >> 88% of the total, understood. Thank you. >> Zimmerman: I would like to, if you want -- if there's another question here, councilmember kitchen? >> Kitchen: Okay. Just as a follow-up question, so the 12 million that you mentioned, this that's a line item for salary savings. What happens to those funds at the end of the year? >> I would have to ask

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corporate budget. We're just expected to realize that savings within our budget. >> Kitchen: Is there someone here who can answer that? Does it go back into the -- we've certainly heard about money that goes back into our reserve fund. I would assume that's where it goes. But that's my question. Is Mr. Washington here? Would he know? In other words, it doesn't stay in the police department budget, rights? >> No. That's -- it probably -- probably I'm not the best person to explain the methodology, [indiscernible] It's used to meet targeted budget goals. It's used to offset other costs that the department would normally have budgeted for, as you normally said, to reach their targeted budget? >> Kitchen: So some of it's spent. >> No, it's built in as budget cost reduction strategy -- >> Kitchen: That's okay. I don't want to put you on the spot, we can ask ed. >> Zimmerman: Appreciate that. >> Houston: I have one more question. I'm sorry. There were 24 sworn positions that were only going to be funded for nine months for how much? >> I believe the -- what's in the budget was full year for 24, mid year for the 58. >> Houston: Here comes somebody. >> I show full year funding for the 24. And then six month funding for the 58. I think the nine month number, councilmember, that you are thinking of, the sergeant in corporal for the

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property crimes task force and the sergeant for the [indiscernible] Explorer are included for the nine month funding. >> Houston: Can you tell me the full year rate. You'll have to come back to us next

budget cycle to put those people on full. Can you tell me what the full year costs would be for the ones that are just partial this year? >> What I can tell you is that the -- well, let me answer that, if I may through email. I don't have that sheet with me. Obviously it's -- going to be double what it is in this year because we're only getting six months funding. But I don't have that number in front of me. >> Please. >> Thank you, Mr. Manly, I'm going to ask in another minute or two if bill or James, if you would like to make a closing be comment, then we will move on to the next item. >> Sure. >> I'll talk a little bit more about this in the -- upcoming remarks. Moving beyond the defined benefit problem, what I see as problematic is Austin taxpayers do not have a method to go about addressing any type of pension reform. That's because these systems have petitioned the legislature over the years to small some or all of their plans in state law, which has effectively put Austin between themselves and the local taxpayers. I think that's very problematic. >> Zimmerman: I think you mentioned this, too. At some point in the future, we have a legislative session coming up in 2017 we're probably going to ask you back specifically to talk about that some more. Thank you, Mr. Horsham, do you have a final comment? >> I think that I would just reiterate that we have a year between now and the next budget cycle to really talk about incentives and what you as a committee and a council want to see, you know, in the direction of

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public safety. And it would be a shame to -- to not use that year and then be right back here next year and talking about what percentage to increase the budget without having had any, you know, more meaningful discussions than you have time to do during this brief period. >> Zimmerman: Thank you all, very, very much. That would bring us to item no. 5, the staff briefing, testimony and public policy discussion regarding ems. Emergency medical services for next year's budget. Thank you all for coming. Let me, if I could, set the clock at 10 minutes and see how that works for us. >> Okay. Chair Zimmerman, councilmembers, jasper brown, Travis county ems assistants chief over operations. Same budget presentation we gave you. I think we might have, if not we've got the packet. I'll go over our department overview. Some of our accomplishments in last year we implemented the institute for health care improvement triple aim, awarded American heart association's life line goal and helping during the Wimberly flooding. Some of our key metrics and performance, average call processing time is below our targeted rate of 75 seconds. I know we had a discussion during council about the different metrics and having one of our own, if the national standard is maybe lower than what we're doing now, but this is what we're -- we've been reporting for. Our medical dispatch compliance rate, that's the calls that are reviewed in our communication center and to maintain accredit action we have to be at 90%, currently we're at 99%. Our priority 1 through 5 calls, how we prioritize calls for on time rate is at

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96.5. Our goal, our standard that we state is 90%. Our highest priority of calls, which is our priority 1, which is our life threatening calls, we want to be there in nine minutes -- our objective is 90, we are at 92%, that's our currents on time rate. Percent of cardiac patients delivered to the appropriate facility is 31.3. Our projection is at 30%. And our percentage of ems transports to a hospital enrolled in a community health care medical program is at 55 and our goal is 57. This is a new measure. There's no other standards out there really to go by in the industry. The percentage of patients who are satisfied with the ems or very satisfied is at 98 and our goal is 95. Our department use of funds, our majority is at 71% goes to direct operations. Obviously field operations being the largest percent. We're showing we have 12 ftes in the current budget to increase it to 501 sworn medics. These are for the lost creek ems station, at nine months of funding. Our budget highlights annualized cost for the demand unit from the previous year, as I mentioned earlier, 12 paramedics for the lost creek funding. Capital highlights, 3.1

million acquired through a bond for station renovations. The stations currently are too small to house our current size of units, so ems stations 2, 8, 11 are being currently remodeled or are in progress of being remodeled for our current size of vehicles. Our rate and revenue highlights will show an increased reimbursement revenue of \$1.6 million. Mainly through our Travis county interlocal and community health care program and stand by services for special events. We're also going to see about a \$2 million increase

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in compensated care. I know the chief spoke about that at the council meeting, but that's basically a large pool of money that comes through to the state and then is appropriated out to different entities that apply for it. In years past we were if not the only one applying for it, then larger departments such as Houston and others have started to draw into that fund, it's a single monetary fund so our portion would go down accordingly. That's the highlights. >> Zimmerman: Any questions? Councilmember Houston? >> Houston: Thank you so much for being here this afternoon. This is not about the budget. This is about the lack of diversity in the ems service. And what are your plans to address that? >> So currently -- >> Houston: 12 new hires, you are asking for 12 -- >> Yes, ma'am, that's in our proposed budget, 12 new hires. >> When we transitioned from a two paramedic system to two. We have seen an increase in diversity. 71% increase in minority, 65% increase in female applications. So by changing the way we staff our units, we've already started to see a change in that diversity. >> Houston: Okay. Does that mean that fire and police have cadet classes, I'm not sure how you get from being an unsworn to an ems person. So can you walk me through that process? >> So our personnel come in already with a medical certification, it can be an emt, an intermediate or paramedic. We require that already of them. So we don't train for those certification levels. When they come into our department, we train them for operational enhancements

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to those skills they already have to meet our clinical operating guidelines. So the person has already had to go there you a school, vocational education of some kind to obtain their patch from the state, so to speak. So that's our limiting factor. We don't hire what we call off the street and then train them. >> Houston: So with the increase in women and different ethnic and cultural groups, when do we hope to see them on a bus do we call them? >> We call them an ambulance. You can call them a bus, a unit. We are already seeing those personnel out there. Our female population has increased and our ethnic diversity has increased also just based on the number of applications that are coming, those same are coming through our cadet classes. >> Houston: Are you doing any kind of recruitment out in the community to talk to people about getting the paramedic certification or -- >> Yes. We recruit at all of the kind of local A.C.C., Austin community college, Williamson county area. We even go down as far as come the coastal areas, talk to the different colleges, vocational schools for those that are already in a program to become paramedics. Also part of the Austin aid program for health occupation student association, we are actually training emts that are seniors, we are recruiting them to come and be a part of our program. >> Houston: Thank you. >> Zimmerman: Hold that thought. Since we're on the ems topic, we do have Tony marquat here, is there a John McIntosh and Lou [indiscernible]. Are either of you here today. If you could come forward

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here. And so Tony I guess we could start with you. Set the timer at three minutes, we will see how we

do. Thank you for coming. >> Thank you. Seems like it's the [indiscernible] I'm Tony [indiscernible] President of the Austin Travis county ems association. I appreciate the time today. Regarding budget, one of the things that is a primary concern is meeting unmet needs, that's the 67 ftes that it takes to transition into a 42 hour work week. That's relevant in that we recognize with the population growth and increase in call volume that we cannot continue to add the needed resources that we have without the ftes in place first. This plan that we're asking for will actually grant additional personnel to help with the transition over time and it will not increase the workload of the medics in the process to do that. One of the other things that I think is relevant to remark on, and maybe something for fy '17 is looking at the measures of performance and I think that it's important to recognize that medics and stations and ambulances are all unmet needs. Having worked in this budget the way it is over the last five years. It's extremely frustrating, especially given that seemingly the -- the discretionary ability to hire additional personnel or have an additional study on fatigue or to, you know, get a different work process out of our medics is not looked at in the sense of the essence of the problem which is personnel. While I do appreciate that we filled an academy and I appreciate that academy has diversity, because that's important. I would say that the measure and the markup performance that we are shooting for are the individuals that graduate from the academy and get off probation and I think that's an important thing to look at when we look at the measure of success of a program. If we can have an academy of 12 individuals, that's

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fan -- 42 individuals, that's fantastic, if we have a separation rate of 40 individuals in that same year, that's something to recognize. So the common goal of performance really should be retention versus focusing merely on hiring. >> Zimmerman: If I could, you bring up a great point here that I'm hearing over and over again. We do have pretty good pay and benefits for our paramedics, but we have -- but we have a problem keeping people. They have gone to actually lower paying jobs because they complain about the work conditions or overtime that they are being forced to do. So could you speak to that? >> Sure. That's an excellent point. We need to look at the separations data. There needs to be exit interviews that take place in a structured format. That needs to be evaluated to see why people are leaving. To merely suggest that they are moving on to a career, I think we need to identify the specific root causes that are forcing some of that. A lot of it has to do with the medical direction, which we've struggled with for some time. With the resignation of the medical director, Dr. Hinchy, we are hopeful that some of that will turn around. The basis we are still dealing with, on the managerial side, have to do with having a commonality and measures of performance. >> Zimmerman: So the idea has been broached on the subject of budget and the way to reallocate and reprioritize, what's your opinion or your comments and I'll let staff answer as well regarding reorganizing the office, about \$1.7 million, that's a pretty pricey, in your opinion is that conceivable, it could be reorganized and outsource the way we do licensing to maybe a contract firm and reallocate that money to have more paramedics and reduce our overtime, something like that. >> The officer of the medical director is a

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separate department from ems, that took place about two years ago was separated out of our budget. When we were working on our legislation and some the challenges regarding medical director, that was one of the things that came up, especially with the medical school on the horizon. Having met with the dean of the medical school and the ph.d in charge of innovations and the dean in charge of education, we established in that time frame it would not be a viable means of looking at that. But that's not to say that -- that the staff members of the office of the medical director shouldn't have some level of

accountability. So whether we need two full-time positions and four to five part-time positions really has to do again with a measure of performance. What are we expecting from these physicians. For Austin Travis county ems we need a position engaged in property coal, engaged in the quality assurance process and specifically not engaged in operations which is a major challenge. Protocol. >> Houston: I thank you for your comments. I'm one of those both and people. I think it's both recruitment and [indiscernible] >> I agree, I was just suggesting that the ideal, I would hope, would be not driven by attrition unrelated to retirement or opening the needed stations. So -- so what I was suggesting is the ideal not necessarily be weighted towards one or the other. But recognizing that if we fail to recognize the retention issue, then we will continue to have a transient workforce. Ideally, I would hope that our metric is to fill those positions with qualified people over time due to ideally retirement or the additional stations and ambulances we need. Thank you. >> Zimmerman: Thank you very much. Would you like to respond or add anything? Based on what we've heard? >> Only that as he said the office of the medical director is a separate department. It's not in our budget and they propose their own

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budget and work through the city manager's. >> Zimmerman: Okay. But obviously they are related to what you do. >> Obviously they're related. They are related to ourselves, the fire department and other first responders in the system. But I don't -- >> [Indiscernible]. >> Zimmerman: I guess you might respond the same way here. But we've had a couple of conversations, kind of high level policy ideas about sharing more resources between fire and ems and even possibly investigating how we might merge those management structures and get some cost savings and even maybe some better service. So -- so is there anything -- because we have firefighters that are trained as emt's, don't we? >> Yes, sir. >> Zimmerman: Has anybody investigated the possibility of using more of the firefighters as emts. >> They are currently used in a first response role today. So they are -- >> Zimmerman: But I mean to be out with paramedics, for instance on the ems units. >> That has not been investigated, no. >> I think that is a relevant point because I think there needs to be a contingency plan in place. We need to look at the concept much like a pandemic flu or mass casualty situation, we're going to end up with the need for alternative response. And I think it's a good observation to remark that the fire department does have emts that are also capable of driving the ambulance. There's probably some logistical issues -- to work out with that, I would say in the priority of how to make that work, I would focus more on closing academies or finding alternative means to staff our emergency staffing. You know, and then looking into the fire issue. I think that should be a managerial consideration

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overall. And just -- I would like to say, especially given the -- the police presentation just now, we are advocating for all 67 positions for this transition and vacancy savings is something that I think is somewhat of a mystery, I would be curious about that as well. >> Zimmerman: Fair enough. Thank you very much for that, it's my intention to ask our committee to continue looking at this question of the fire and ems possibly merging, I want to explore that more. Do you have something to say here on this before we close? >> Yes, ray Arrellano. Since you have asked this question a couple of times now, the city manager and I met with both chief Kerr and chief rods the fire and ems -- chief Rodriguez the fire and ems department to contemplate this question that you've been asking. I think that we've come down to the position that we believe the departments are operating as we would want them to, but there certainly is opportunity, I think, to find efficiencies where we can be better collaborating across the departments and recognizing where there might be duplication and how might we do that better. And maybe even leveraging some of the -- some of Tony's comments about, you know, how can we

better prepare in an emergency when we may have significant impacts to the strength of either the departments in the case of some sort of crisis. So our intent is to move forward with looking at those kinds of opportunities between the two departments, at least for the short to midterm. As you well know in terms of some of the conversations that we've had briefly, the merger of two departments like you were talking about is a pretty complex and involved evolution. So at least for the short and midterm, we intend to focus on what can we do to become more effective in the service delivery between the two departments.

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Departments. -- >> Zimmerman: Thank you very much, that's going to bring us to our next agenda item, posted for 5:40 P.M. Staff briefing and policy discussion regarding -- do I have these out of order here? It was item 6. >> Fire department, fiscal year 2015-2016, we are on AFD now, thank you, chief. We're about six minutes, we're doing pretty good. Can I go ahead and set the timer at 10 minutes to kind of keep us where we are. >> Tom dodge, chief of staff, Austin fire department. Councilmembers, do you have the handouts that we presented last time? Okay. I want to make sure we're in the same place, we're going to go through the same presentation that chief Kerr made before council. I'm going to move quicker. I did want to focus initially on the first -- second page the department overview and again our mission is to create safer communities through prevention preparedness and effective emergency response. A couple of things that I would like to highlight on this page are, first, the top line where we talk about the -- the amount of time that we respond to -- respond to residents in eight minutes or less. The goal is to be there in 90% of the time in 8 minutes or less. This is very critical because we take pride and it's a very important metric that we hold the fire and the -- in the room of origin as often as is possible. That's huge to us because we know that when it's held to that room of origin, that we can save structures, we can

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save adjacent buildings and we can save lives potentially. So our response time staying under that eight minutes is huge, so right now we trend slightly over that eight minute mark. Second of all, I would like to point out our juvenile fire setting program where we have shown great inroads there, but that's been in a reactionary mode. We have gone out to children who have started fire and are in trouble, we have recruited them into our program. We would look to be more proactive with that program in the future. Then a couple of other things are the these safety -- the smoke alarm installations. Our goal for the year was 2,000, we had over 2200 installations of smoke alarms this year. Also we've added a safety trailer, which depicts what residents can expect if they have a fire in their home and some safety things to think about as far as fire safety in the home. Finally, we would like to point out that the number of inspections that we do, the technical inspectings, trended high lately. We've had a whole lot of new construction, those inspections we are projecting 11,000 this year, next year over 13,000. As chief Kerr said, we took a swing at that, that's a number that we guess at each year, depending on how the economy goes and the amount of new construction that we're going to have. The next page we talk about our use of funds. >> Houston: Excuse me, chief. On the page 2 of the slide under new fire technical inspections, is the cost of service recouped by whatever is paid to go out and do these inspections? >> Some of it is. Not all of it, no. >> Houston: So like -- >> On the technical inspections, they pay fees.

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The technical inspections do. But we do in service maintenance inspections that we do not recoup all of

the fees for those. There are additional inspections that fall into kind of a middle area and an example would be a sorority or fraternity house might pay a fee to have a special event, we have to send inspectors out there. The fee they pay for those types of inspections typically do not cover the entire cost of it. The technical inspections typically come close to covering it, but not always, depending on how often we have to send an inspector out before they receive whatever permitting they need for the certificate of occupancy. >> Houston: So is there any way to identify what fees you get for what type of service and what fees don't actually -- what inspections don't actually give a return for the service that you deliver? >> Yes. I know exactly the question that you are trying to ask. We've been talking about that internally. It is a little bit of a challenge. Some of the fees are very straightforward and some of the offices that we offer in return are very straightforward. But like I just described, some of them are a little harder to nail down. But we are talking about taking -- looking at how we can actually do that and differentiate the actual cost of the service and the fees that are related to it specifically. >> Houston: So you all will give us some information after you physical therapy looking at it? >> Yes, we can get information back to the council. >> Houston: Thank you. >> Okay. On the next page, the -- you'll see the general fund budget increase for this next year we've promised at 8 -- projected at 8.26 million. Most of that is in funding that's included in the collective bargaining agreement. Then some other costs are 1.3 million for again include the full cost of the safer grant that allowed us

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to add 36 firefighter positions which allowed us to achieve four-person staffing on all front line apparatus. Then it also includes funding for the new positions we asked for, which is two engineers, one administrative specialist and a lieutenant. And then we got additional fees for the -- included into the support services, some transfers in support services and then increases to the civilian wages and the step increases that go on the sworn side. Finally on the next page a couple of budget highlights again. Like I just stated the final true up for the safer grants, which means that we will fully realize the cost of the personnel. The two engineers that we've included for nine month funding, the one admin specialist again for nine month funding and the lieutenant in arson investigations a full year funding. The next page reflect our capital program. Again, this focuses mainly on our fire stations, but we do have some funds built in here to renovate our drill field and the drill towers both at pleasant valley and Shaw lane. Another critical piece is the driveway projects, which is reinforcing or rebuilding, in most cases, the driveways of the stations that are crumbling or massive disrepair. Also to be noted is our locker room project. We are moving forward with that. We're in phase 5 of that. And the design is finished we're ready to go out for bids to finish that phase of the locker room project. There is a phase 6, there are six stations that are extremely difficult. And we are looking at those stations to see what options are available to us to make those locker room projects come to contribution there. -- Come to fruition there. Again, we have a renovation project going on at various stations, that is through the building services department and in their budget they included \$5 million in the fiscal year '14, fiscal year '15, excuse

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me, to -- to renovate some of our most -- most badly in need of renovation fire stations. They were able to spend 1.2 million of that this year, we had a little bit of a slow down due to some purchasing issues and so the remaining money in that will stale be available to us to continue those renovations in the '16 fiscal year. Then as we noted last time, also, we are in need of more fire stations and we're working with the city manager's office on a mid -- some mid-year proposals on how that might be accomplishment and we'll be back to talk to council with our standard of coverage and how we figure, where we need and how we need fire stations sometime in the new year. Then finally, the last highlight

is just to realize that we do expect some revenue increase on our permitting side and that's with the addition of the fte of the administrative -- excuse me, administrative specialist and that that specialist be able to process more paperwork and move the permitting along that we'll be able to bring in more revenue and then just the expected growth in the number of permits and fees that will be charged. That's -- that's it pretty much for my presentation, thank you. >> Zimmerman: Thank you, very much, chief Todd, we will have more testimony. I will like a little bit of back and forth, if we could. We will have a few more questions here. We have some invited testimony. I would like to bring Mr. Mike levy down, followed by Mr. Bob nicks, followed by Mr. Quintero again. I would just like to get some ideas, your comment Terri on the budget testimony that you've heard and just get your feedback. Could you get you five minutes here? >> Yeah, absolutely less than that.

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Tony is right on a lot. I support him 100% on the need to reduce the number of hours in a week for the paramedics. I think tonight also said and bob nicks testified to this commission that consolidation is complex and probably needs a three-year time span. The problems right now that we're seeing with the program is who are we hiring? Are they good? Why are we so far behind? If we go to a 42-hour or 40-hour work week in the next budget, we're just going to have more slots to fill. Why are we having such a hard time finding qualified, good, experienced paramedics? I don't think any other city department has - has qualifications that are so low in terms of age and so low in terms of experience. You know, having somebody a year out of high school taking care of a patient backing up a paramedic and driving a \$20,000 unit, big truck, code 3 is scary. I think the best thing that you all can do is just take it very personal. Do you want the -- the program that used to be a model program that other communities wanted to emulate, do you want them taking care of you or a loved one? There are so many problems that we saw in the budget. There were no real metrics on anything. The question is: Where's the money going to come from? We talked about the office of the medical director. It's a million-seven. The idea of having one medical director on the outside and a nurse practitioner -- and nurse practitioners are -- they are -- paramedics, skilled paramedics, part of a career

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ladder, executing what an outside physician could do will save us a lot of money. We could transfer it over. I think if you look at the staffing of the command staff of the fire -- of the ems program, you can compare it on the number of people in the command staff of the other services, it's about equal, even though the number of people are about a quarter. We could use those positions to just move those people down into staffing, field staff, and not only save money, but also leave the overtime problem, you know, the -- I think somebody mentioned the fire service where you have very qualified and experienced Es on the units -- emts on the units allowing them to work on an overtime basis on the ambulances if they so chose. The third thing, -- and the third thing, and it's very important, get the paramedics and emt's out of doing special events. Again, it's slots that have to be filled. In the budget presentation there were no metrics presented by E.M.S. Management. There needs to be rigid metrics imposed and I believe that the best way to impose that is through the auditor's office because they know what we're talking about in terms of metrics. The program is broken and Tony as his personnel are paying a real bad price for a management that they can't manage and we're spending too much money and not having the kind of program we used to have. >> Zimmerman: If I could, Mr. Levy, so

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policy are all linked. So the difficulty here, we're in budget season, but I think this discussion is appropriate in budget season because if there's a problem in the management or I hear an assertion that management could be the problem and that a budget is improper because it's trying to hide management problems or trying to compensate for management problems, is that kind of maybe -- >> We have seen this in other places where money is thrown at problems rather than having the problems fixed. I think that Tony articulates the problems very well. We don't do exit interviews. Why are people leaving? I think that's because they don't want the answers. You know, why are we hiring such inexperienced people, such young people? Other programs don't have it. Again, our pay rates and our benefits are very, very high. We should have no problems hiring the best of the best. What is the problem. Thanks, I appreciate it. [Buzzer sounds] If you have any questions -- >> Zimmerman: No. Thank you very much, Mr. Levy. Sorry, we got that a little bit out of order, chief Dodds. I apologize for that. Do we have Mr. Bob nix available? There he is. We're doing pretty good on time. I have 6:01 P.M. And by the way, director smart, isn't it better to have time certain appointments so you haven't been sitting around here for two hours? I just saw you walk in a few minutes ago, so I appreciate that. We're trying to stay on schedule. I've got 6:01 and we wanted to move to code compliance here at 6:10 to be on schedule. So if you could do about five minutes here, would that help, Mr. Nix? >> That would be great, appreciate it. I'm putting back one of the first pages of the fire department presentation. I wanted to highlight a couple of Numbers.

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The percent of incidents would respond within eight minutes is 90% but that doesn't really tell the story because there are hundreds or at least 50's of service areas within the city of Austin and so when the entire city meets a certain response call it doesn't mean a whole lot. If your neighborhood takes 15 minutes to get a firefighter there. And this is -- and these facts are not in dispute. The fire department would acknowledge these same facts. They have maps that show the same thing. So what that means is even though we're meeting the goal as an aggregate we're not meeting it in many of the service areas, particularly south of the river. And I think we've known that for quite some time. We've annexed and haven't built the infrastructure. We've taxed and haven't provided the service. None of these facts are disputed. Our independent research shows the same areas that the fire department's shows. >> Zimmerman: I'm sorry, but before you move on these Numbers are not mixed in with the esd's. >> Yes, they are. >> Zimmerman: Oh, they are? Those Numbers -- when you look at the service delivery maps that have the deficiencies in response in the southern part of the city, that includes the esd responses. So even with esd responses which we have a certain position on, even with that the system is failing in these areas. In a recently annexed area in shady hollow their meeting the response goal about five percent of the time with auto aid. So the main thing I want to take away from my time, and what we're advocating for from the association is funding the shady hollow station this budget year. And we've got a really unique opportunity because we don't have to build a station, we don't have to spend five or \$10 million. We can lease it for \$25,000 a year. And we already have an agreement to do that. We can activate that within six months. Then we're looking at a one-time cost of a fire engine, just shy of a million dollars, some radios and then the staffing. And so we're looking at, I think Tom would agree, but I've talked about this half-year staffing

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for that station. So we're looking at around two million dollars year one and we're looking at recurring costs of under two million dollars a year to really place firefighters in a place that in the service areas that everybody agrees is needed. Again, to me it's a taxpayer issue and also a service issue. Now, we're

at least six stations behind and that gets us one. There's some other creative things I want to talk about after the budget year. We can get a couple more really quickly. And I think even the fire department have come to terms on some of these notions and trying to work through them. But my main thing is we really have an opportunity here to do it. It's very cost effective. We can do it very quickly and we can service those citizens now and in an area that is very much needed. The other thing I would like to talk about really quick because you're talking about pensions, defined benefit. I want to point out the Austin firefighters pension is the second strongest pension system defined benefit in the state of Texas. And it's because we're a very conservative group and we have upped our contribution when we were having tough times. And I just wanted to say really quick, and I don't think that Texas public policy foundation would agree with me, but -- and we've been on the opposite side of this debate a couple of times. A defined benefit system is not innately evil and not innately ideal. It depends on how you run it what are your contributions going on, what are your assumptions, are you running it using sound math? Are you running it through political process and extracting money that you shouldn't be extracting? And in the end your system goes broke. So we are very -- we very much advocate pension reform. We do think pensions need to be responsible and run at a very high level. We think our system does and we think it should be held up as a model and we do think the statute does add value because it's not just a city contributing. The firefighters contribute 18.7% so we really need an arbiter that's kind of between the two to make sure everything is running appropriately and

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efficiently. >> Zimmerman: Any questions? So since you brought jalapeño, I'm glad you did, I think the firefighters pension is in the best shape, right, of all the three in the city. It's in the best shape. >> Yes, sir. I don't have the Numbers to comment on the others, but I do know that we are the second highest health in the state. >> Zimmerman: And it's over 80%. >> It's over 90%. >> Zimmerman: Over 90%. That's good. One comment was made about looking ahead to legislation in 2016/2017 and how this could effect us. Is there a discussion over ttpf and more local control over the pension rule and obligations? >> Don't think it should be. And I've been a strong advocate against that. And I think on the surface it really seems to make a lot of sense -- [buzzer sounds] -- That would want to control the lowest level possible. But when you go into the minutiae of it, I don't think it really makes sense. We broke away from state system in 1975 and we've run it very, very conservatively since then. And it doesn't mean that you have to have a system that goes broke because you have defined benefits. It's how you run it and the assumptions that are held up. They can't change in a vote of council next Thursday. That's kind of important. It's important. The actuaries and it's important to the health of the system. We need to get together and decide what is the best way to run the system and then we place those principles in a place where we just can't readily change them. And I think what would happen is once we approached 100%, just to give my worst case scenario, if the council could change the benefits, remember they're paying about half and we're paying about half and on a Thursday vote next Thursday they could lower their contribution rate, extract five million dollars from the system and take us down from 100% funded to 85%.

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Just like that. And it's kind of a process check between council and the trustees when we start trying to change these fund assumptions. >> Zimmerman: So your point is well made. You could be penalized if you do a really good job of funding your pension. Somebody comes in, changes the rules and they raid your pension. >> It's happened before. >> Zimmerman: But the flip side of that is the stock market crashes like it's doing right now. And then what was 90% funded is now only 80% or 70%. You're going in

the opposite direction. You end up like Detroit where you have all these commitments you've made to retired pensioners and you can't pay the bills. Situation too potentially. >> And again, I think it has a lot to do with the assumptions the way your system is set up. Remember, we came out of the one of the worst financial downturns there's been in this country in a long time and we're over 90 percent funded because of the way we behaved, the way we managed and the principles we brought forth to our system to make sure it was funded right. And the city did too and we appreciate that. >> >> Zimmerman: You mentioned something about the shady hollow potential fire station. Could you help us understand as councilmembers we're serving on the public safety committee, but it's not clear to me how we could best influence these decisions more early on, right? Because we've got a forecasted budget back in April. And the fire station you mentioned and some of the things you'd like to see wasn't in that budget. >> Right. >> Zimmerman: So is there maybe -- is there a question here? Oh, she needs some technical help over here. So looking forward it's kind of late now. We've got a budget right on top of us. What could you see happening better in the next budget cycle where we could get some of these things discussed in March instead of doing it now in August? >> I appreciate you asking that question and it's a great question. We are, you know, six to

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eight fire stations behind and there needs to be a system for building them. It can't just be that we wait until service gets terrible and then we start trying to shoe horn something in budget like we're trying to do right now, and I'll acknowledge that's what I'm trying to do. I'm trying to get something in the budget that should have been done five or six years ago. We used to do utility studies in the department. We did those for almost 20 years. It looks at every individual service area in the city and it's a formula. And when a formula reaches a certain coefficient you build a fire station. And we can that for a long, long time and we kept up with growth. That system started breaking down in the early 2000's and we've had tremendous growth since 2000's and very little stations built. The last station put in service for Austin was 2010. And so we don't really have a system. I really think that -- this isn't unprecedented. In the mid '80's we had the same issue. We were about six stations behind. The council got together, the council put together a resolution and it came up with a schedule to get back on track. And I really think that's the way to do it ultimately is you've got to size what your service levels are, cite some formula to determine when to do it and stick to it and we need to fund these things. Otherwise we're annexing doing the land grabs and not providing the services the citizens are paying for. >> Zimmerman: Would it not also be fair now that we have the 10-1 system that we could compute the statistics based on districts? Instead of having a citywide average let's break it down and look at separate districts. >> And the fire department has done a good job at doing that. The utility study is a proactive way to place stations. A reactive way is to look at our response deficiencies. And the information I sent out to council yesterday includes some maps from the fire department that does break it down by district and it shows by areas what your response times are. And you have a deficiency north and west of station 39. Ora, you have a deficiency a little bit north and east of station 23. But when you really look at the map, the southern

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part is really, really hurting. In my opinion we need three stations now to really provide the service that we promised citizens. And one thing about emergency service delivery, the citizens trust that we're doing it right and they really don't know. We're the experts and that's why we're the ones that have to bring this forward and say listen, it's very obvious that this isn't an opinion, this is a fact. Look at the map. We're not hitting the service areas with proper response. We need to do something about it. >>

Zimmerman: Thank you, Mr. Nix. Chief Dodds, did you have anything to add, to wrap up? >> No. We've been advocating for stations for a number of years. We know there's been deficiencies in the city of Austin also. >> Zimmerman: Thank you very much for coming. That brings us to item number 7 that we had scheduled for 6:10, staff briefing and invited testimony and policy discussion regarding code compliance department fiscal year 2015-2016. And thank you, director smart for coming. And is dale, are you here? He's in the front, okay. Let me go ahead and set the clock at 10 minutes and let's do a review. Thank you again for coming. >> Thank you, Mr. Chair and for giving us this opportunity to come and talk to you about the budget for fy15-16 for the Austin code department. The first slide talks about our major accomplishments and we are very proud to say that we've implemented, we've started the implementation of the neighborhood enhancement team looking at phase 1 in the restore rundberg area. And that project is off to a good start. We are working with the neighborhoods and with other departments. There is 18 departments signed on so far looking at that area and seeing how we can improve the services that are being provided in that area. Additionally we have implemented the administrative hearing process which is an alternative to municipal

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court. The administrative hearing process is set for more the minor code violations so that we don't clog the municipal court with a lot of code cases. We can actually distinguish between those that are major going to municipal court versus those that are more minor and routine going to the administrative hearing process. Of course as you know the burden of proof is different and there's a lower level burden of proof for administrative hearing than it is for municipal court. Thirdly, we are launching now, we have a soft launch of a web-based engine that would provide more transparency and better customer service, allowing citizens to access more code data. Citizens can actually look up the status of code cases on their computer and be able to see exactly what is happening with our code cases. I think that's really going to add to our transparency, add to our customer service. Also in that first slide I don't see it on the screen, but it does show our performance data going in to fy16, what we are projecting. We have been asked by council to be more aggressive with that data, with our performance goals and so we will. We have already looked at that and looking at more aggressive goals for response and for particularly managing our caseloads such that those cases where we have not achieved compliance within a reasonable time period moving those cases on to judicial agencies. That of course would be the administrative hearing process or municipal court or building and standards commission. And in some cases moving beyond that to district court. A second slide talks about sources of funds. And as you can see most

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of our funds, over 90%, about 91% of our total revenues come from the clean community fee. That clean community fee is a line item on our utility bills and it provides substantially most of the funds that are available for Austin code to operate. Second is our waste hauler funds. We have a special program arranged through a partnership with Austin resource recovery to implement a waste hauler licensing program. Additionally that same program is able to look at illegal dump sites. We can identify those dump sites around the city. We have a number of surveillance cameras that are set up on these dump sites to try and catch illegal dumpers. And it does -- that program is working well. Additionally we clean up those dump sites, use funds from that waste hauler program. You will see also building safety deals with inspections of hotels, motels, rooming houses, boarding houses, bed and breakfast units. That program is all a licensing program that allows us to take care of those funds. Short-term rental is of course another program and it's actually -- we're projecting an increase in funds going in to next fiscal year. The uses of funds or expenditure of those funds primarily with case investigations or inspections,

license and registration program, support service and operational support with the bulk of that, the majority of those funds going into case investigations. That allows the code enforcement officers to get out in the field and actually respond to complaints and by visiting the site and confirming whether there's an actual violation occurring. Additionally doing reinspections to help

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ensure that the property is brought into compliance. Our budget highlights, we're asking for nine new positions. Four of those positions are for case investigations. Three that would be code enforcement officers and the fourth is a dispatcher. Right now we use a temporary dispatcher and that person -- that position has been temporary for a couple of years and we're looking to make that a permanent position, finding that the value of having a full-time dispatcher is tremendous because it helps us to keep track of all the inspectors that are out there in the field all around this city doing inspections during the day. One is a transfer position from public works. That's the coordinator for the neighborhood enhancement team that's working in restore rundberg area. That's a transfer from public works into Austin code. A couple of the positions are support positions for the multi-family program and the repeat offender program. And the ninth position is a support position for the short-term rental program. Our rate and revenue highlights, our last slide basically is our total revenue with this request would be increasing by a total of \$1.6 million over our current year, current fiscal year. Most of that again would be clean community fee, \$1.5 million. It would represent an increase of 25 cents for our residential customers and 50 cents for our commercial customers. Short-term rental license we're projecting less in revenues and in additional revenues we're looking at \$109,000 and that's coming from fees and

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penalties that may be imposed either by technology and standards commission or the administrative hearing process. As you know, any fines collected through municipal court goes into the general fund. It does not go into the department. Overall we're looking to improve the services that we're providing through Austin code by making sure that we have enough officers to cover this city, cover every district, to respond quickly and efficiently so any complaints that come in from our citizens. We're expanding our -- the access to information so that our citizens can easily check on the status of a code case and also improving our overall effectiveness as far as enforcement making sure if there are cases where we're just not getting compliance and there's several different categories of cases that happen like that. Some time it is because of a hardship. We may have a housing code case where there's a number of code violations, but the property owners may be on a fixed income. They may be elderly, they may be disabled and they may just be indigent and just don't have the funds to take care of that. So it's very important for us to work closely with other departments and other agencies so we can make that referral. In cases like that a real enforcement efforts is not necessarily the answer. But in other cases where property owners and managers are just refusing, have the means, have the resources, but are refusing to comply, then of course we want to use the enforcement tools that are at our discretion to use to help make sure that we get that compliance. So we're looking forward to improving the services that we provide in fy16. I'll be glad to respond to any questions, Mr. Chair, councilmembers. >> Houston: Thank you,

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director smart. On one new and one transfer position to improve community relationship-- relations, that's an awful high dollar amount. Can you describe to me why two people cost \$317,000? >> Let me

make sure I get to the right page. >> Houston: It's on 5. Because we've got two positions to improve the multi-family program and repeat offender at 148,000. >> That position is -- is a management position. The coordinator that -- the neighborhood coordinator position is a management position, coordinator position being transferred over from public works. Are we talking about that position? >> Houston: I guess so. Is that the new position that cost -- so are they transferring the funds with the person? >> No, they're not. [Laughter]. They're transferring the -- when I say -- yeah, 317,000, okay, I got it. That's first-year costs. The next year that cost will go down, but this year we'll need to supply a vehicle, we'll need to supply computer, equipment, supplies, so that first year cost for this position is going to be higher than it will be in the next year. So that's salary, that's vehicle, that's computer, that's furniture, supplies, all of that added in to one cost. Next year -- the following year, fy 17, that cost will be lower. >> Houston: So that's for both positions, both the new one and the transfer? >> If I'm looking at the right one on the budget highlights, one new, one transfer position, that's one position. That's what I'm looking at. On page 58? >> Houston: It looks like it's two positions.

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>> It's two. >> Zimmerman: It looks like it's two very expensive positions. >> All right. One new and one transfer. You can explain, go ahead. >> The two positions is the neighborhood liaison emergency -- neighborhood liaison position and the interdepartment coordinator. >> Zimmerman: So what are the annual salaries on those? >> So the salary itself for the neighborhood liaison is 85,000. And the interior department coordinator is -- the annual salary for the neighborhood liaison is 79,000 and the neighborhood coordinator is 178,000. >> Zimmerman: 178,000. Tell me again what we get for 178,000? >> That is the interdepartment coordinator. That is a transfer from public works. >> Zimmerman: That's a pretty fancy salary. I'm just looking for -- what does somebody do to make them worth \$180,000? >> We can double-check the Numbers, sir. >> Zimmerman: Okay. >> I think we want to check that salary. That does seem a little bit on the high side. >> Houston: Thank you. >> Okay. Total cost with -- total compensation, that's with benefits and everything too. >> Houston: Okay. But the 79,000 is with benefit benefits and everything too as well, is that right? >> That is correct. >> Houston: Okay. It's still a costly transfer. Maybe y'all want to rethink that transfer. They're not doing you much good. >> Zimmerman: We would like to reconsider that. [Laughter] Okay. So a quick question for you. You've been -- I know you've been following the big str debate, right? A lot of criticisms that some of them from me

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that the ordinances and noise and what have you haven't been adequately enforced. And I'm deeply concerned that the new ordinances, new rules being proposed only adds to a burden of enforcement that's already not being kept. So have you had a chance to really think about some pretty amazing requirements being put on code, right, new requirements in addition to what you already had? And what it would cost to actually implement that? Have you had a chance to put those Numbers together to say, hey, if we put in all these reforms that have been proposed add and recently passed, what's the budget item? To try to enforce those? >> Mr. Chair, we have looked at that and we're preparing a possible request that will go -- that would come to council to look at additional resources to help make sure we are able to enforce the ordinance as it will be amended. And we'll be bringing that to council soon. We're not prepared to provide that today, but certainly we'll be coming to council with that request. >> Zimmerman: So I guess -- this is our first budget cycle so I suppose, councilmember Houston, there will be a budget amendment at some point put up I guess when you evaluate what you think it would cost, you would come back to the council and say here's the amended budget for code compliance and it's increased by this amount and this should presumably help cover the new code

requirements for str's? >> Absolutely. We'll be coming back with that. I think that -- let me just say, though, I realize the challenge that's being placed on Austin code as it relates to short-term rentals. And we're certainly accepting that challenge. We see the amendments as actually going to help us to better enforce it. We have a code right now that is very difficult,

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very difficult to enforce. Partially -- for a number of reasons. I'll give you a couple of examples. One is that the authority to inspect is not included in that ordinance. And so how are we to actually do our inspections and actually enforce the ordinance if we don't have the authority to get in and do the inspection? You can watch people come and go all day and all night, but you can't prove that they actually occupy the property. And you can't even actually prove how many bedrooms or how many sleeping spots are actually in that property if you can't get in there to inspect. Secondly, proving that six unrelated adults, being able to prove that when they're only there for a day or two or three and they're gone, is very, very difficult if not impossible. We've taken cases all the way to municipal court and the case be dismissed because you're unable to prove beyond a reasonable doubt that unrelated persons are occupying that property. So right now we've got an ordinance that's very difficult at best to enforce and so what we're looking for is ways to make it more enforceable. If we want to keep that short-term rental license opportunity, if that's what we want to do, keep it here in the city of Austin, we need something that we can actually enforce. >> Houston: Thank you, Mr. Smart, director smart. I just want to remind you that it's not just short-term rentals. As you've noticed in the paper and the news over the last couple of weeks, the unregulated homes that are in our neighborhoods that are not boarding homes, not group homes, not rooming houses, that you do have some authority over these homes have no regulations attached to them. And our most vulnerable people are staying there. So we've got to get that on the books too. >> Yeah, you're absolutely right. And we've had some

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extreme cases recently where folks were being abused in these unregulated homes. So we are working on an ordinance that will be coming to council that would help us to better regulate those properties, to be able to inspect those properties too. And see if the -- if they're really staying in safe conditions or not. >> Houston: Thank you. >> Zimmerman: Thank you very much. If you would just stick around for a few minutes. I do have one quick question before you go down. Back on page 3 on your handouts on the sources of funds, I notice that under sources of funds you have short-term rental identified. >> Yes, sir. >> Zimmerman: But it's only, what, .3 million, \$300,000 is coming from short-term rentals? And so help me understand why that's such a small number if we're bringing in a relatively large amount of money from short-term rentals, why isn't more of the short-term rental income from registrations and from taxes? Why isn't more of that going towards your department for enforcing the str rules? >> The fees for short-term rental now is \$285. And \$50 of that goes to development services or the planning and zoning for providing notice to neighbors. We get the rest, \$235 per license is what we get. And that's for initial license as well as renewals. So the dollar figure you see is the amount of money that's come in at \$235 per license over this fiscal year. It is covering the cost of the str program presently, but we only have two inspectors and one support person that's basically working in short-term rentals. And so it's covering that cost, but it won't cover the increased costs of doing weekend patrols, for example,

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like we use the str pace team at all. But that 300 plus thousand dollars is the total amount of refuses

coming in from those -- revenues coming in from those license fees for the fiscal year. >> Houston: And if these fees were reduced that would decrease the amount of money you get significantly? >> Yes, ma'am. >> Houston: And as we know, there are a lot of short-term rentals that are not licensed. >> Right. >> Houston: So if we go and have -- if your department has the ability and the authority to go in and regulate them better, then you would get more income from that. >> We anticipate, yes, that we'll be better able to regulate those by the license, but also better identify those who are unlicensed. And so we're looking forward to the amendments. >> Zimmerman: Thank you, director smart. If you could just hang around for a few minutes. I want to call dale flat up. Our last agenda item is item 8 is speakers signed up for any topic on the agenda or anything you would like to talk about, public safety related. We have greater Austin crime commission, we have someone here to speak from them. So Joe patronas is in the back if anybody would like to speak at our last agenda item we have dedicated time for citizens communication at 6:40. So thank you all. Mr. Flat. I will put the timer to 10 minutes here. >> Thank you, sir, councilmember Zimmerman and Houston, thank you for inviting me to speak today about the code department budget request. I provided Joe with a CD Rom with some examples of what I consider poorly trade code employees and how we need to really improve the code compliance division. We've got a big problem here. The code compliance has actually turned into a pseudo law enforcement agency. You heard several times

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where we referred to our employees as officers when in fact their job title is that of an investigator or inspector. This is a problem and you guys have very eloquently brought it up, even with the short-term rentals, we're asking the code people to do things that normally law enforcement would have to do. And again, when code first started it started off through solid waste services and it was highly populated by retired A.P.D. Officers. So they had some of that experience, but that's not what they're hired to do. What I'm seeing now is a lot of younger people coming in without that police experience and being asked to do a job that's very difficult. What I've noticed through an audit that I've been performing is that the code people are not consistent on how they conduct their case reviews and things like that. And I just brought to council's attention last week a complaint and I was contacted by A.P.D. And an affidavit has been filed and an investigation is underway and that is on the CD that Joe has. If you could pull up the powerpoint please. So this is a spreadsheet of -- of code employees. Could you scroll up a little bit? So this is a spreadsheet of code compliance employees that I got from code through an open records request. And it's kind of hard to make out on the screen, but it's colored to the left by job description and then there are two categories, items F and G that talk about the educational requirements for our code inspectors. The international code council and the Texas code enforcement officer

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certification, that comes from the department of health. It's not a requirement that a municipality have that, but that's something that all of our code employees should obtain within the first year K what's important is if you look at the international code council certifications that many of our employees in the upper levels up through code inspector C are required to have at least one of those certifications and many of them don't have those certifications. Mr. Smart sat before you on June the 10th and told you that our inspectors are some of the best trained actually as far as code enforcement in the state. That was a law. That was a misrepresentation. When you look at this, the job description for our code inspectors and code inspectors and investigators clearly lay out what the jobs are supposed to be. That job title changed in 2013, but the fact of the matter is we've had over 400 days, business days, where inspectors should have been brought up to speed and gotten those certifications from the international

code council for recycle zoning and other things -- for like zoning and other things in order to be better inspectors. And again, I will use the term egg inspector or investigator and not the term officer because code is not a law enforcement agency and they are not law enforcement officers. Can you go to the productivity tab at the bottom? Okay. This is based on a snapshot from an open records request that was done by your office, Mr. Zimmerman, and we asked for a select number of employees -- you see that in columns G and H. What was given to us was columns E and F.

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Inspections done within one year. So if you look at column E, you can see that Luis Gonzalez for example did 1,099 inspections within a calendar year. That breaks down to 92 a month, 22.9 per week or 4.6 inspections in one day. Which is a pretty impressive number. You see somebody does 8.7 inspections in one day. On the other hand, if you look at the red Numbers, you will see people will only do, like Anthony major, the second one down, he only does 12 inspections in a year. That's one a month. You look at Leah Womack, she did 24 inspections in that calendar year. That's only two per month. When code is asking for more employees, I would hope that the council would take this type of format and look at all the inspectors and see what we're getting for our money. I find it hard to believe that maria Kirk can accomplish 8.7 inspections in a day. That number seems a little odd to me, but again, these are the Numbers that were supplied by the code department. I think this is a good metric -- we're always talking about metrics -- on how we're going to measure someone's performance. If we've got somebody who is only performing one inspection a month because we need to cut that person loose and hire a new employee instead of carrying dead weight around. Let me jump around here. And again, we've seen that the code department is being pushed and pulled by special interest groups or neighborhood associations who want the equivalent of a citywide homeowners association and expect the code department to enforce these rules. Likewise councilmembers who do not fully understand code's function or their history want code to take on roles of a law enforcement agency all without the proper

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training or tools. And employer we're talking about the short-term rental ordinances. You have employees working evening shifts and responding to noise complaints or too many people stay at a rental property. This is much like going to a frat hall or something like that. Often times these people very drinking. We're placing our code employees in harm's way to deal with drunks and frats. This isn't a good idea. I think this should be a function of A.P.D., perhaps, during south by southwest or big Numbers, have them respond to those type of calls. The other option is to get law enforcement officers as part of the code department. Now, we place our trust in the training for the code officers -- I said it. Code inspectors. To follow their established procedures, but this doesn't happen. Often Mr. Smart will instruct his staff members to ignore his own policy, which is adc 100, dealing with city of Austin property, to avoid completing the investigation in a prescribed manner. This needs to change so all properties are treated equally. Education is one of code's top priorities. I couldn't agree more. Can you show the photo that I have there? Code actually goes out to a lot of events and does a lot of things. We spend about \$76,000 on bus ads or things like that. I've said it before, one of the best ways to reach our audience is to go out and put information in the utility bills. Everybody who gets a utility bill is a potential code client. Sometimes people I talk to say oh, I just had some remodeling done. I say did you get a permit? They said yeah, we got a permit. I said how do you know? I look online and their

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contractor didn't get a permit. A lot of times our customers don't understand what a permit looks like or the value of having an inspection done after the work was done. This is a table full of swag I got off of the code website. It has pencils and rulers and other things. Now, when you look at it, you know, there's probably a couple hundred dollars' worth of stuff there, but the fact of the matter is handing out pencils, a lot of what their education is is getting their public image up to speed. We're your friend, we're here to create your quality of life. They go to home deep pokes and other things. I don't pretend to understand all of it. What I'm really focused on is getting the code inspectors to treat everybody fairly and equally. And I -- when I met Mr. Smart the first time right after he got the job I said I don't envy you. You do have a hard job. Not a job that I would even consider doing. But the fact of the matter is we have to be more consistent and more fair. And if you're going to look at new positions, look at their staff-to-employee ratio. I believe the ratio is one staff number for every 2.4 inspectors. It seems a little top heavy to me. >> Zimmerman: Okay. >> Any questions? >> Zimmerman: Thank you for that, there flat. We did look at some of that data. I think I asked director smart about this -- [buzzer sounds] -- And there's some confusion about what constitutes an officer or an inspector, but I think if you did complete a certain amount of training that you were allowed to have the title of code officer, but a lot of our -- most of our people did not have that training. >> The title of code enforcement officer is one given by the Texas department of health. It's 36 hours of training and a couple

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years worth of experience. You can trade education off of that. And again that's just a certification. It is not the job title. A good analogy would be -- >> Zimmerman: You could see how they say if they completed that training they might be justified to have the title. >> Of course. The title -- like any other business person, and you'll see it on the CD that I'm providing you. I'm providing you some examples of emails. It's misdirection at best. If you have an engineer degree or things like that your job may be done Zimmerman councilmember district 6 and then your accomplishments are listed underneath there. It's not code enforcement officer. The way we address our employees, the way we put them in big trucks with big gold badges, big light bars on the top, we're giving people the illusion, we're one step close from calling them law enforcement officers. That's going to get us in trouble. We're going to go out to a short-term rental or something and this guy is going to walk out with a badge and step out of a truck and someone will take a shot at him and he's got something nothing but a flashlight and some rubber gloves. >> Zimmerman: To your point, when I look at the slide and I look at this, that looks like a police badge. It's a police badge. >> It populated all of their things. And again, firefighters have badges. I wore a badge for 28 and a half years. And so if you sit back and take a good hard look we used to be called code compliance, then it was code enforcement and I spoke out about that. I said you're setting yourselves up. Again, it's what accountant is pushing them and pulling them to do. The cops don't want this. They love these guys. The cops just -- they say it's a code issue. You guys take it. So in a sense the council is creating a lot of the issues. If we didn't have south by southwest and all these big events, people wouldn't rent out their homes, so it's a huge

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catch-22. >> Zimmerman: But it sounds like to me -- str is a red hot issue. Most of the complaints are around public disturbance. It's drunken people up at 2:00 in the morning, causing noise, it's disorderly conduct. You have quality of life going down, too many cars being parked. And they do sound more like A.P.D. Issues. Disturbing the peace versus code issues. >> You're right. But again, -- in councilmember Houston's district you have a lot of older homes, a lot of retired folks like director smart was talking about, people that can't afford to make these upgrades. So that's the function that code should be

focusing on besides multi-family and these other things is cleaning up neighborhoods. But what we don't need to be looking at is wait a minute, you've got an rv out front, your fence is six-foot tall or -- there's a lot of silly things that we do. We have to decide where we want to spend our time, where we want to spend our focus. And if it's going to be short-term rentals, then try to make it so where taxpayers like me aren't paying for somebody to get rich renting out their house because it's south by southwest. Or f1. Thank you. >> Zimmerman: Director smart, maybe you could close for us. I've got 6:47 on the time. And we have a speaker here. So if you want to wrap up for us. >> Yes, sir. If I can respond very quickly. Certainly I want to respond to Mr. Flat's implying, not just implying, he stated that I lied when I said that our officers are some of the best trained in the state. But I can back that up that we are -- we do have some of the best trained in the state. Our code enforcement officers in this city go out to property to respond to complaints. We go out to private properties. We go on to private properties, in most cases. We go to vacant lots, dangerous buildings. We go into vacant

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buildings. We knock on doors. We talk to citizens. We talk to owners and renters. They're going out all over this city handling over 17,000 complaints every year. They're the eyes and the ears for this council eyes and ears for our city manager and going out to these neighborhoods. They are well trained. Not just the training that they get to become registered as code enforcement officers, but the additional training that we give them on the ordinances that they have to enforce everyday and they have an array of ordinances. Icc is only one piece of what they do. So icc training is not necessarily our all in all. There are a lot of other different training that we have to provide for them on procedures, standard operating procedures so that we help make sure that they're consistent. I still contend that they are some of the best trained officers in this state. And we can back that up. So we want to support these men and these women who are going out into the neighborhoods doing that job on a daily basis responding to complaints. And the inspection Numbers are not going to be the same because their responsibilities are not the same. We have some inspectors who are like district reps who are in their neighborhoods, in the district, handling all different types of complaints. And we've got other officers like we've got one officer for billboards, that's one of the ones he showed up there on that list, that just handle billboards. So they may handle -- one case may take them all month to work that case, weeks to work that case. So it's a different responsibilities for different code officers. We'll be glad to provide any additional information that you might request on training and/or responsibilities. And we thank you for the opportunity to present. >> Houston: Thank you so much. If we're going to get through with the commission we have to

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move fast. >> Zimmerman: We're almost done. We're on the last item, which is our general communication. We have two speakers remaining here from the crime commission, David roach first, followed by Mr. John Woodley. If you could come forward. I I'm David roach, president elect of the greater Austin crime commission. The greater Austin crime commission was founded 18 years ago to support central Texas first responders and to promote regional public safety planning, organizations led by a board of 60 business and community leaders. Austin is one of the nation's safest large cities, but rapid growth strains our resources. New metro residents range from 110 to 158 new arrivals daily. That's as many as 60 new families moving here each day that need a safe place to live and work. While the violent crime rate is lower than cities of comparable rise, crime rates are higher. Working with the police department, the greater Austin crime commission released a police force strength assessment assessment and analysis which founds that police staffing formulas based on population ratio are outdated. We have additional copies available and you can also find our study online at austincrime.org.

The study suggests police force strength should be based on community engagement time. That's the time patrol officers have for community policing when not responding directly to calls for service. During the past five years a.p.d.'s total community engagement time for patrol officers citywide has declined from 33% to 19%. Studies of best practices show community engagement time goals of up to 50%. Hiring 82 additional police officers per year

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between 2016 and 2020 will make it possible for A.P.D. To reach a goal of 30% community engagement time over these next five years. The proposed fy16 budget includes these positions and addresses some of the police department's critical unmet needs, including civilian support staff. Another way to measure the new staff model is to view it as a work load analysis. The 82 patrol officers will add an additional shift. In other words, increasing community engagement time should also result in decreased property and theft. Police help us keep Austin one of the nation's safest large cities by making public safety a priority. I appreciate your service and we look forward to working with each of you. >> Zimmerman: Any questions? Sorry, before you go, if you're 501(c)3, right, tax exempt non-profit. That's what it says on the website. And I haven't done it yet, but if I were to look up the irs form 990, which is required, what are the Numbers for this group that you guys report? You know, like you're supposed to report the highest paid person if you have anybody paid and statistics like that. >> It's all available on [inaudible]. >> I think you can pull that up online. >> Zimmerman: We can pull it up. Okay. Thank you very much for coming. >> Thank you. Mr. Woodley? >> Hello. I'm John Woodley. I'm an advocate for disability access. And I would just like y'all to consider when you do a budget proposal for the police, E.M.S., fire or any other emergency services that you consider A.D.A. Accessibility. I believe that some of those people could

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use -- have like a tablet available so that they can -- if they have -- if they have a traffic stop they can communicate with people who can't hear. A lot of tablets have cameras on them and they can use a relay service for sign language. If somebody doesn't know sign language, they can do a typed relay service. And this can also be used as a relay service for people who speak foreign languages. So help remove some of the language barriers and the time it takes to bring in somebody all the way out to a location. And so it would significantly help remove some of the language barriers between citizens, whether they have a disability or speak another language. Thank you. >> Zimmerman: Thank you very much. Much, Mr. Woodley. That concludes the testimony we had. So do you have any other comments or questions, councilmember Houston? >> Houston: Thank you all for being here with us. We're going to call it a night. >> Zimmerman: That is right. Thank you very much. We are adjourned at 6:55 P.M. Thank you for coming.