

# City Council Regular Meeting Session Transcript – 11/2/2017

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>> Mayor Adler: Are we ready to begin here? I'm going to call to order the city council meeting. Today set for Thursday, November 2, 2017. It was to convene no earlier than 2. It's now 3:01. We are in city council chambers here at 301 west second street, Austin, Texas. We have a quorum. In fact, everyone is on the dais. We have some changes and corrections. Item number 18 is to be postponed to November 9th. Item number 20 we can't call up at its 4:00 time certain, we're going to consider postponing that until also November 9th. But we're not here on that yet. The consent agenda is just items 1 through 5. Item number 5 has been pulled by councilmember pool. >> Pool: Mayor, the question I had had been answered. It sounded like when I was reading about the fee waiver for the mac, they were losing that income because it's a fee being waived and as many fee waivers we have done I didn't understand they would lose money and I know understand they are not. But that was my he request because I didn't want any of the city organizations to lose funding just because we do a waiver. >> Mayor Adler: Item 22 is also on consent, but that's just a briefing, an update. So we're not going to vote

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on that on the consent agenda. Consent agenda is items 1 through 5. We have some people who speak on the consent agenda. Mr. Peña, do you want to come and speak? >> Mr. Mayor, with all due respect, the city council meeting was supposed to start at 2:00. I understand there are certain issues, but remember us old folks got to go home. Okay? Thank you very much. Glad to see you again. My name is Gus peña, president and co-founder of veterans for progress, native east austinite. And you did see number 2 right also is included? >> Mayor Adler: 2, 3, 4 and 5. >> Number 2 is having to do with the medical transfer services at acadian. I believe everyone is on board, but I just want to make a couple comments. The rca is not too informative and to educate the committee we need to have a little more

information on this that is really tangible. I guess I could use the "T" word. We're in support of that. I want to say this, mayor, first of all, thank you for your leadership and I just wanted to say to chief Rodriguez and I know this -- I'm going to say it, and to Tony Marquardt, I want them to reach an amicable contract with both sides and I need for you to understand the community, the community is looking at this very closely also just like they do with Apa -- APD, and also the other services also. So anyway, I appreciate

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chief Rodriguez. I appreciate Tony Marquardt, and this acadian. I'll keep it short. Think about us as the public who have to wait. Usually 2:00 is the start time. Let's try to do a more better job. And I'll leave it at that. I had one more item -- one other thing I wanted to mention, and it is germane. Item number 22, I know it's not for public speaking, but would you also let us know ahead of time this is going to be not on the agenda? They told us item 22 we're not allowed to speak on. >> Mayor Adler: It's just a briefing. >> Yes, sir, but briefings also should include the community, not just y'all because we're the ones that pay you all's salary. You are a millionaire, but you have a lot of money. Just kidding, mayor. I helped get you elected and ems loses its contract with Austin, I'm concerned about our ems personnel and I know chief Rodriguez and Tony Marquardt are going to work for best interests of the committee. One other thing -- >> Mayor Adler: Is -- >> I forgot one more thing. >> Mayor Adler: Actually you are out of time. >> A couple of seconds. Studying Austin center for design. You let people speak more than I do. I want to thank them for participating in this project. >> Mayor Adler: Thank you for coming today. Is James nashfield here? >> No, he wasn't able to make it. >> Mr. Price? >> He had an issue with his family so he's not able to make it. We're going to speak on the issue tonight. >> Mayor Adler: Those are all the speakers we had signed up on these matters.

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That gets us up on the dais. Consent agenda items 1 through 55. 22 has been pulled. Mr. Renteria makes motion to approve. Ms. Pool seconds it. Any discussion? Any notifications? Those in favor of the consent agenda, please raise your hand. Those opposed? It's New Hampshire on -- it's unanimous on the dais. Let's go to 22, staff briefing on ems. Manager. >> As they come up, I would like to acknowledge the work of the negotiating teams on both sides of the table. I would especially like to thank Larry Watts to stepped in after the untimely passing of our former labor relations officer. Larry along with our outside council, Sara griffin, with the Lowell Denton law firm, has led the negotiating team. In addition I want to thank management and staff of the labor relations department and the departments of emergency medical services, law, financial services and human resources. And I would also like to acknowledge

Tony Marquardt and the emergency medical services employee association for their leadership during these negotiations. And finally, I want to also acknowledge the employees, all the employees of our emergency medical services department who provide excellent emergency medical care and mobile integrate health care service. We join with our community in thanking you for your service and your dedication. Larry Watts, labor relations officer, will now begin the presentation. >> Thank you. Councilmembers.

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Let me start by giving you a background for the labor negotiations. With ems union. Association. Austin voters approved a charter amendment in 2012 providing civil service and labor -- and labor contract bargaining for ems employees. City and the ems association negotiated a four-year labor agreement in 2013, and the genesis for the interest of both parties, of course, deals with wages and superseding some of the provisions in the state civil service law. In the spring of this year, we sent out its marketing to the public, I believe Tom Stribling began that at the time. We began all three contracts with things that were already in place. And our changes in our model that would be negotiated at the bargaining table included management priorities, public input, association interests, budgetary constraints and past pay practices. So -- the negotiations, as I said, began in may and we had a total of 15 full-day sessions not counting the three days of mediation at the end of the process. At the end of the contract, the two parties agreed to an extension of 30 days for the purpose of engaging a

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federal mediator to assist us in reaching an agreement. And we actually met with the mediator for three days throughout the month of October, and our last day was on October 30th, and we were unable to come to an agreement. The primary reason that we didn't reach an agreement is there was a \$7.6 million difference between the parties at the end of the day. >> So one of the things that I think both the parties to this negotiation session would agree to is that we had a very difficult time agreeing on what a comparable would be. That's one of the basic techniques you use in setting wage provisions of an agreement. And so I want to talk to you a little about what our problem is with the city of Austin's structure of its ems. It's quite unique within the state of Texas. None of the other large cities have a separate ems department which has the ability to negotiate for an agreement like this under the statutes and under the charter of the city as it was changed. So what we started with was a market analysis conducted by a company called pfm, and they utilized the same techniques they used for police and fire. And when we started to look at what actually had come out of that, we found that still there's no comparable cities in size and that some of the data was actually not as accurate as what we wanted it

to be. The union came to the table and they actually pointed out quite a few mistakes in the actual survey study and the fact they weren't comparable cities. We took that to heart, looked at it carefully and worked with them to seek out

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other comparables. One of the things we did do, one of the comparables they were willing to look at in part so we took Montgomery county and did further research into that so some of the data inaccuracies were ironed out and we had better data from Montgomery. At the city council's request, we began to look at all of the large fire departments within the state of Texas. And we'll show you that data in a little bit. Again, none of those have ems as a separate department, they have it incorporated into the fire department, but because it's so unique, that's one of the things we did look at at your request. The last thing we looked at are internally we looked at the increases that had been negotiated with the other bargaining units from their current contract, the percentage increases they were going to be looking at in their next upcoming contracts. >> Good morning, mayor and council -- good afternoon, mayor and council. Ed van eenoo. I've got things to walk you through about some of the comparables. This is the slide that shows you the negotiating team worked with Montgomery county to get accurate data to do a comparison between Montgomery, emts and city of Austin medics so the first group of numbers shows what our medic 1s get paid versus a Montgomery county emt, they have a basic, intermediate and attendant. The lowest level is 37,000 increasing to 56,000 on the high end. In the city of Austin that equivalent position, different job title, but equivalent position is 39,861 to knacks of 70,587, and we calculate the percentage variance. -- Maximum. The second was the medic 2s. In Montgomery county they charge that emt in charge. And the salary range in Montgomery is 46,500, almost

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the same as our 46,650. Very little difference there. But after ten years when they get to the maximum end of the range, you can see that the city of Austin salary is hire by 10.1%. 82,568 versus the 75,000. Then we just also do mention up here that the Montgomery county is working a 56-hour workweek which equates to 2912 annual hours versus the 42-hour workweek in the city of Austin which is the 2184. So that would be the Montgomery county comparable. As was mentioned, we were %-úalso asked to look at comparing our ems employees to other fire departments that provide ems service and that's what we're doing on this slide. A whole bunch of numbers, but essentially you can read down the left column. Arlington, corpus, Dallas, Houston, El Paso and San Antonio. From left to right tenure. From a first year firefighter paramedic all the way out to a 20 year. We do put an average down so I think the average would be a good number to talk off of. The average of these city fire departments is 48,938 in

the first year rising up to 65,314 by year 20. Then you can see right below that how we stack up against that, how our ems medic 2s stack up against those numbers. We go from 49,107 maxing out at 82,798. The final one shows year by year what the difference is with the columns that have a green number being years where the city of Austin is ahead of the average and the red numbers there in years 3 and 6, we are below the average for those years. And I would mention that one of the provisions in the contract that the negotiating team proposed was to try to address those

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middle year shortfalls that we have relative to the average. Another thing we happened -- we wanted to point out on this slide, one of the things we were looking at, when we get to a maximum year position, how do we do against other departments. And with the goal of being, you know, we want our long-term career paramedics to be the highest paid essentially at the end of their career. And so year 20 paramedic in the city of Austin would make 82,798. Amongst these comparables, the number 2 city would be Arlington fire at 75,543. So with the contract that is currently being proposed after 20 years, our paramedics would be 10% above the number 2 position of these different jurisdictions. >> Kitchen: Mr. Mayor, I have a question before you move on from this slide. Thank you, Mr. Van eenoo. I see that we're looking at averages and then we are comparing year 20. But I think I'm also seeing correctly -- you can tell me if this is correct, that we are actually below four out of the six other Texas cities all the way up until year 9. I think year 9 we start -- we catch up with San Antonio, or maybe it's -- yeah. Looks like year 9 is where we -- so although we may be, if I'm reading this correctly, we may in year 20, which is a pretty long time, in year 20 we may be higher. We remain lower than Arlington, corpus, Dallas, and San Antonio. And we don't catch up -- we catch up in San Antonio in looks like year 9, corpus year 9, if I'm reading this correctly, and then we watch

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up with Arlington in year 18 and Dallas in year 18. So I think it's only fair to talk about those comparisons too in addition to the average and to what happens in year 20. Was I reading that correctly? >> You are absolutely reading it correctly. I would have to refer to Larry in regards to some of the specific provisions in the contract that do attempt to address the year 3s and year 6s where we are behind the average. That's not captured in this slide. We're only showing in the first year of the contract what the proposal would be, but I believe the additional steps in year 3 and year 6 didn't come until later in the contract so that nuance isn't captured in this slide either. >> Kitchen: Yeah, and from my perspective, I appreciate the averages, but I'm looking at the number of other cities that were behind and how long it takes us to catch up. >> So if I made address that, actually it's year 2 of our proposal that we come in with the step

increases that go ahead and take us up and put us higher than that. Puts us into the green so I'm sure that -- taking us over the average would put us over there. We don't have those numbers nor year 3, 4, 5 because we don't have the exact numbers and the calculations on what Arlington, Dallas, corpus, El Paso does in their second year. All we have is our first year proposal, but in year 2 when we increase the step increases in our proposal, that takes us -- I don't know how many it takes us over, but most of them. Is that correct? >> Kitchen: So you're saying there's another piece of paper we don't have that tells us in year 2 Austin would have been over some of these other ones? >> We do have other numbers. What happens is in year 2 we can tell you that the numbers would go up, but now we're getting two years away from today and we don't know

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what the other jurisdictions are going to do so we start feeling like we're comparing apples the Oranges. >> Kitchen: We cannot say we would be more than Arlington and corpus and Dallas in year 2 because we don't have that data. >> Yeah, and so basically what you're typically looking at is the increase in base wage oh, but one of our primary objective changes was the change in the step increases which was separate from the base or other increases, and that was the substantial change within our package to try to catch up on the retention that we've discussed. >> Kitchen: I hear you saying that, but I'm also hearing we don't have the data to definitively say that would have put them over. >> Correct. >> Kitchen: Okay. >> Mayor Adler: Do you want to continue? I'm sorry, Allison? >> Alter: I just was wondering if you could clarify what we're comparing our ems to. We've had some discussions about that being challenging to compare so I just want to understand in this chart when you say it's versus Texas fire, ems departments, what are the qualifications of the people that we're comparing them to and what do we also have to keep in mind with respect to that? >> So what you're not seeing in this particular chart is any paramedic stipend, and that's not shown in the paramedic stipend so it's the basic fire department personnel at the same point in employment as our personnel. >> Alter: So do they have training that our ems staff don't have? >> So they would be basic firefighters. >> Alter: So they have fire training that our ems staff are not required to do to do their job because we have separate ems -- >> And I might let the chief address that. >> Chief Rodriguez, ems

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chief. Yes, you are correct, they do have training as firefighters that our personnel do not have. They are dual role cross-trained. They have training from fire fighting, rescue work and other types of training that are not relevant to our paramedics. >> Alter: This is just another way we're having trouble getting the right comparable for our ems? >> Exactly. All of the comparables we're showing to you we

absolutely are not comfortable within a that's one of the challenges in this entire contract. We're not comparable with Montgomery, with this chart, we're just giving you what we're able to put. I can tell you if you send us back and say find a good comparable, there is not a good comparable in Texas. It does not exist. We are kind of doing the best we can with what exists. >> Alter: Thank you for the clarification. >> Mayor Adler: Mr. Casar. >> Casar: So sometimes we ask questions trying to drive a particular point and this one is generally not one, I just want to understand. Because I was confused by your answers to councilmember kitchen's question. I know where you are coming from, but just trying to understand which numbers I'm looking at. On this chart for Austin's proposed contract, what you're saying is year 1 includes the base pay increase that was proposed, but the other ones is just the existing pay? >> Yes. The only thing in the Austin year 1 that is on the table is the .25 that had been in the last proposal for year 1. Other compensation were further years out. >> Casar: Help me understand why are we including one number here that is -- I'm not saying it's wrong, why we claim one number that's in the proposed contract and others that are not. >> So we have numbers -- >> Casar: Sorry, the city's last offer, excuse me. >> Sure. We can show you numbers, be happy to show you the numbers for one that would say Austin contract proposed year 5. At the end of the five years

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when all the various provisions get phased in, different wage increases, different stipend adjustments, we can show you that for Austin. What we can't show you, comfortable showing you how did these other jurisdictions change. >> Casar: They could have different contracts. >> They haven't approved them. >> Casar: But you are saying there could be a line under this that was year 1 through 20 on the city's last offer. >> Well, yes, but at the end of the five years. >> Casar: Five years you would know. So you could clear year 1, 2, 3, 4, 5, but you've included year 1 of city's last offer and after that it's not done so. >> And the reason was if the contract as has been proposed by the negotiating team was approved, those would be the values for our employees and we think as of today those are comparable to the numbers on this slide. For me to show you at the end of the five years -- >> Casar: Just for year 1 are you including anything that was -- >> That's right. >> >> Casar: -- Proposed. Everything else has to do with where we are now. >> Yes. >> Casar: And so you could produce for us another row under this that's not comparing to anybody else that says year 1, 2, 3, 4, 5 so we can see how much better we're doing. >> We have those numbers. >> Casar: How readily available are those? >> Does somebody here actually have them? The year 5 numbers? >> Casar: I imagine it's simple math if we know what it is that we offer it in the steps. Anyway, that might be useful because I'm looking at this and I feel like it's two different things. That would be helpful. Thank you. >> Mayor Adler: I'm slow. I still don't understand the answer to the question Greg is asking. Are you saying you couldn't compare to it the other cities because we don't know if they will get new contracts in the future? >> Oner what they will be.

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If they are going to be 2% or 3% or 5%, but in the very first year this contract, if it goes into effect, those numbers up there are the numbers that immediately be the numbers. And those are comparable to the other jurisdictions you see on there. But at the end of the five years, not all the provisions of the five-year contract go into place in year 1. In particular the step increases that help address those red areas in years 3 and 6, they don't go into effect until year 2. We can provide that data for the city of Austin, but saying exactly how that's going to compare and where that's going to place us to other jurisdictions, two, three, four years from now, we don't center that data. We chose not to put it on here because this is the comparable. I don't think year 5 of our contract relative to these numbers is a fair comparable. >> Mayor Adler: I want to stay because I'm still not clear. For the other cities, do they just have one-year contracts or multiple-year contracts? >> It varies. This is a snapshot in time. Okay, we have a snapshot in time of the current contract which that number would say 9%. We're just saying in year 1 if that contract had been accepted, this is where you would be today. That's one snapshot in time as to where they are today. In fact, I asked them to try to project year 2 and they said that would not be a fair comparison. But they wanted to give you a true comparison or the best you can get. This is a snapshot in time of right now, October 1, what would have been in effect -- accepted as proposed. >> Mayor Adler: What if the photo, the snapshot in time was taken in year 5? Could you do a snapshot in time year 5 and compare us to these other cities, also

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doing a snapshot in time in year 5? Based on whatever their current contracts are? >> We could do our snapshot in time versus their today. >> Do it for ours and we would have some information for some of these other jurisdictions, but some of those jurisdictions may have contract ending next year and we wouldn't know what to assume for the next four years. >> Mayor Adler: We would know we could assume if they didn't change their contract. And a year from now, two years from now we would appropriate that other city would be looking at that snapshot in year 5, knowing what Austin would be in year 5. And then they may adjust their contracts in two years or three years if they are falling behind. But if we did a snapshot in year 5, wouldn't we then know what our contract would be doing over that five-year period compared to what their contracts would be doing over five-year period of time? So we would be able to see how we would compare to it the other cities assuming that they did not make changes in their contract whenever their contract is up over the next five years. They probably would if they start falling behind, they may do stuff too, but that would at least tell us where we are in this contract relative to where the other cities are going to be if they don't change their contracts. Is that a useful comparison? >> Well, except these are firefighters. It would be firefighters with five years firefighter experience, not paramedics with five years paramedic experience. After year 1 I don't think it is as relevant. We were asked to do this comparison, albeit we have not found a perfect way to find a

comparable market for ems within Texas. I don't think as you move this down the line several years that a five-year firefighter is equivalent to

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a five-year paramedics, but I would have to defer to chief Rodriguez to confirm or deny it. But they do have different duties and different training. >> Mayor Adler: Councilmember Garza. >> Garza: This goes back to -- this goes back to councilmember alter's question about the chart and how these numbers were used. And someone said that the paramedic -- for fire the pair paramedic was not included. >> Contradict. Either for proposal we had on the table for paramedic certification at the end of our mediation, which we'll get to in a little bit, nor does it include the paramedic certification if there are any in the other cities. >> Garza: For year 1, the 49,000, that is a year 1 emt B? >> It's a medic 1 -- I'm sorry, a medic 2. >> Garza: Which is a paramedic. So we're comparing paramedics so firefighters without the paramedic incentive. So I agree these aren't fair comparable, but if you included the paramedic incentive that these firefighters get, all these numbers would be significantly higher. >> That's true. >> Garza: Probably. Isn't that right? >> I think some of them would be. That's correct. The reason -- or one reason that's not included in this graphic is that the company that we used to gather this data did not include paramedic pay as one of the stipends in any of the cities that we compared to. And quite frankly we did

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this -- began doing this over the weekend so we didn't have time to gather all that, but I believe there are at least two cities in this that have some paramedic pay. I'm sure that one of them is Houston. And I believe that one of them is San Antonio. >> Garza: Okay, and so my point is just for my colleagues is that if the point of this was to show, look, our last offer was higher, which I think councilmember kitchen already poked holes in, was higher than all these other ones, the reality is all these other numbers do not reflect if these firefighters have paramedic training. And if it did, it might -- it might come out and we don't know, but I think it would be likely that a firefighter with paramedic training would be higher than what was last proposed. I think it's important to note that we're comparing to nonparamedics. Comparing paramedics to nonparamedics. >> Mayor Adler: Mr. Casar. >> Casar: And I think to add to the -- councilmember Garza's point, my confusion here is that it's not showing that -- what our last offer did in any career but year 1, right? And so I think this is helpful for comparing where we are now, but I think that what might be most helpful for me to understand is at the city proposal where there was \$12 million put on the table in new pay increases and the association's last proposal, about \$19.5 million proposed for new pay increases, how does that -- how does that -- how do each of those put us in

relationship to admittedly not great comparables. I want to know what our actual last offer looks like and what the association's last offer looks like, how much does that actually

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change because this only seems to -- I understand the [inaudible], but this doesn't show either of those except just in-year 1 it shows what our last offer is. When you are looking at year 3 or 6, if I understand correctly, that has nothing to do with the city's offer. For me to best understand how to -- what my opinion is on how we move, what moving forward looks like, I don't know how much the city has offered on top of this and how that compares to the association's offer. I know you have coming slides, but they don't break it out over the years. >> Kitchen: I have one last question. Let me make sure I'm reading this right. This is a snapshot in time for year 1. Is it correct to think of this when you show year 9, what that means is at this particular point in time someone with nine years experience is at 63. This is not year 9 of the contract. I just want to clarify that in case people were confused. The years across the top are the years of experience, not the years of the contract. >> Exactly. >> That's right. >> Kitchen: We're showing right now -- okay. I thought -- that was my understanding. I just wanted to clarify. And I hear what people are saying, this is just showing the first year. So the first year snapshot in time is what's showing us that it takes -- well, we don't even really know because these are understated because they don't include the paramedic pay. So we know at least it takes nine years of experience before -- or actually more, 18 years of experience before our -- we're not even sure if it may be more than 18 years before our paramedic catches up with Arlington because we don't

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have whether or not allegor has a paramedic stipend. Okay, all right, I think I understand. >> Mayor Adler: Mr. Flannigan. >> Flannigan: My understanding based on the conversations I've had is that ems professionals and these fire departments only serve as paramedics over a short time period. A handful of years, not all the years. Is that right? Is that your understanding? >> That would be the chief's -- >> You are correct. In many organizations like these, it may serve a maximum of about four years before they take a promotion and either become a driver or operator or engineer or something like that. >> Flannigan: Do we know -- sorry to interrupt, but do we know in these joint fire/ems departments, what years of career people serve as paramedics? Is it broadly distributed? Is it the first four years? Is it after the first four years, is there any kind of -- it would also be difficult to compare just adding the paramedic pay across the board because maybe 12-year veterans in these joint departments never operate as ems. Maybe that's always happening in years 4 to 8. Is there any trend? >> The trend appears most of that time is actually served early on in their career. So they enter the department, get their basic training.

They may be assigned to an ambulance for four or five years and then they progress into other promotions outside ems. >> Flannigan: So one -- sorry to keep interrupting you. So one could argue that this chart has value as comparison if you add in the paramedic pay on top pay for the -- for a certain set of years because if you are a professional and you were trying to decide where to work or where to keep working, that's a rational place. But if you are a 20-year -- or you are a 12-year veteran of our department, there's not a lot of other places

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you see 12-year paramedics. >> That's correct and that's a valuable point you make because there's a huge difference in concentrating your career in one area and becoming an expert in that versus splitting among two areas and doing the best you can with both. >> Flannigan: I appreciate the difficult job you have and that staff has to try and clarify what is very complicated information. I think it's been a challenge across all the contracts to get clear and consistent information for, you know, lay people who don't necessarily have broad experience in manning this type of thing especially when it's so infrequent. If we were doing this every year we might have more understanding implicitly, but doing it in these periods becomes very difficult. There's something to be said that there may be a shift in comparables that when we're talking about our ems professionals in years 1 through 8, then we're comparing to fire departments, joint departments, plus their paramedic pay. But when we talk about having a 10-year ems veteran, their 10-year firefighter is not a comparable because they are not a 10-year ems veteran. Our person is a 10-year ems veteran. How we assign a value to that I think is going to be difficult. I think comparables are valuable in the first set because it seems to be more directly comparable, but I think on the upper end we tend to lose that and I would like to see some information about how many people are actually at that level. And if I start to think about how these ems veterans, which sounds like might be rare, you know, the budget impact of affording a commensurate salary may be small compared to other -- so I think there's some kind of dividing line here. >> Mayor Adler: What is the difference in training for ems versus fire 1, and number 2, the stipend that's

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offered for ems, do you have any idea what the stipend amount is? Those two questions. >> The one proposed -- >> Mayor Adler: The one for these other cities. Do you have any idea what the other cities offer in terms of -- >> In other cities? >> Mayor Adler: Yes, the paramedic stipend for a firefighter serving as a paramedic. >> I believe that Houston is \$400 a month. I'm not positive about that. >> Mayor Adler: Okay. >> And I'm not sure about San Antonio. And they are the only two that I personally am aware of that have a stipend. >> Mayor Adler: What's the difference in training for a firefighter versus a

paramedic? I'm sorry. >> I can only hear out of one ear. >> Mayor Adler: What's the difference between the training for a firefighter versus a paramedic? >> I can speak from my personal experience, I've done both jobs. As a firefighter, we're trained how to operate on the fire ground, safely enter a hazardous environment, how to take control of a fire and operate fire equipment. That's all basic training. It's state regulated. There are certain things that you have to master in order to become a basic firefighter. Then you can progress to an intermediate and advanced firefighter. Those progression are based on education more than fire training. Paramedics have different levels where you come in and you start your career. It's a basic level that is being able to control bleeding, start breathing and all the basic elements. You move up as a paramedic and you can do interventions where you administer medications and begin to change physiologically what happens. >> Mayor Adler: Are the ones that pass are they similar? >> The training required for a paramedic far exceeds what

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a basic firefighter would have. I can't rattle off numbers off the top of my head. I would have to look those up for you. >> Mayor Adler: Thank you. Ms. Kitchen. >> Kitchen: Just a quick question. I had forgotten what you just said. How long do -- I think there was a statement that the firefighters usually don't provide paramedic service after X number of years? >> It varies, but usually after doing assignment on ems, maybe only lasts about four years. >> Kitchen: About four years. >> Then would promote -- councilmember Garza, you might know more about that than I do. I think you spoke to it at one of our other meetings, but it's a shorter period. >> Garza: Question, sorry. >> Kitchen: How long do firefighters typically provide paramedic services before they -- in other words, a 10-year firefighter is likely not performing -- >> I should further stipulate that that four-year period may be when they are assigned to an ambulance. The remainder of their career they may work as first responders and continue to assist on calls, but they don't have the primary function as a paramedic. >> Kitchen: Just a followup question, so a paramedic is a state certification? Is that right? >> Yes, it is. In Texas we have a state certification and we also accept a national certification as well. >> Kitchen: So that requires them to -- it's a medical licensure kind of thing? >> After two years of community college training, you can get a license. You can also become a certified paramedic after about a year's worth of training. A little more than a year. And you complete all of your hospital and ambulance time and all of the requirements. But I would say a year and a half to two years is the range. >> Kitchen: Is the minimum. Because the mayor was asking that requires both education and a test, I assume.

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>> Correct. >> Kitchen: And an actual state certification. Thank you. >> Mayor Adler: Mr. Casar, then Ms. Garza. >> Casar: I have to step out to a stakeholder meeting for the [inaudible] Ordinance, but I want to leave parting thoughts because I haven't had a chance to flip through the pages. I agree with several colleagues that it looks like I want us to have a competitive -- to be able to retain employees and seems like in those early years we can do better and so the trouble I'm having is understanding whether it's \$21 million better or \$25 million better or \$30 million better. It seems like that's the range of -- of the outstanding issues and so I think what would be helpful would be to best understand how those different numbers impact one being, you know, pretty competitive in those early years, and then two, probably a private conversation with the city manager about our finances to make sure that obviously we're at once making sure we're making financially sustainable decisions but making sure that we try to get -- try to be really competitive and contain folks in those first years where the comparables were right at it and I think the city of Austin tries to lead. So as you all put that -- just take my thoughts into consideration as you have the rest of the briefing and I'll be back soon. >> Mayor Adler: Okay. Ms. Garza. >> Garza: The question about training, it's significantly more training. As a firefighter, your emt basic, you take blood pressures, you package a patient, you do -- I don't want to say the firefighters don't do a lot because they do, but it's a different

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level of training. I believe emt needs two and a half months of training versus two years at a community college certification for a paramedic. The actual on the job work, the paramedics are like the doctors. They are the ones who intubate patients, put tubes down their throats, start ivs, push drugs, decide which drugs to push. It is a very different job than a basic emt basic fire job. In addition to they are also the ones that handle the tiny -- the lower priority calls and I actually have to leave too so I want to give my general thoughts and I unfortunately have to leave in a little bit. When a call comes out, your triage to assume the worst case scenario and that's when a fire truck comes to. Being waved off. We get there and they say we get this, it's not what we thought it was. Our paramedics deal with so much. They -- they help our homeless population. They are the front line sometimes more than fire for our homeless population because we haven't been able to get a handle on how we handle that. So they take care of everything. They are from the tiniest band-aid on a toe call to someone -- this person needs to be in the hospital in three minutes or they are going to die. It's important to put that in context and I don't think this is a fair comparison and I would urge us to support going back to the table and trying to come to an agreement because this current situation is not hopping the morale of a department that I feel like gets - - doesn't get the attention and the respect

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that it should. So I really hope that we can try at least one more time, 30-day extension, extend their current contract to get these people who really do some of the hardest work in our community. >> Mayor Adler: Continue with the presentation, please. Thank you. >> This next one is an internal comparison about the -- how the offer that was created recently by council and by the fire association that is correct contract, how that compares to the final city offer to the ems association. In regards to fire, the five-year cumulative cost was 23.8 million dollar. If you look at that against 1100 fire employees, a little more than \$20,000 per employee spread out over five years. Contract. The offer made to the ems association would be \$20.9 million over the -- cubing actively over the -- councilmember actively, for an average per employee cost or per employee amount of \$37,677 cumulatively. >> Kitchen: Could you go back to the previous slide? I think this was the question where -- yeah, I think this is where to ask the question. So am I understanding correctly that this -- this equates to about 10.5% over the five years? >> The 10.5% was a calculation I believe just looking at base wages. It didn't look into the step increases that are part of the contract as well. >> Kitchen: Okay. I'm trying to understand the numbers to compare here. So what is our last offer to police?

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Because I think that this is not -- >> Articulated as a percentage? >> Kitchen: Well, I'm trying to compare. I'm used to comparing by percentage ems, fire and P olice, but if Mr. Van eenoo is suggesting this is the more appropriate way to compare, that's fine. I just think it's not fair to compare only ems and fire without putting police on here. I know we don't have a final police contract, but my understanding is there's a contract coming to us. So I'm just suggesting that it's not appropriate to only compare the two and I'm wanting to know what the comparable number is for police. Whether you do it as a percentage or whether you do it like this. Do we have that information? >> I have it up here, I believe. >> Kitchen: Okay. >> It would -- the 10.5% for ems and 6.5% for fire, which is final, would compare to 12% over the five years for police. >> Again, those percentages I believe are just based upon base wages. >> Mayor Adler: Down what the corresponding them would -- number for police for five years, cumulative? >> I know we can get it. I don't have that number. I don't have that particular number in my head. >> Mayor Adler: That's fine. Go ahead. Proceed. >> Actually this is more of Ed's, I believe. It leads into the next -- >> I think that -- we're going to start peeling the onion on the \$20.9 million, five-year cumulative offer

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looks like, but in aggregate 11.9 million for base wage increases and various other provisions. And so those would be like new provisions in the contract. These would be, you know, base wages above what our current base wages are. Different stipends and changes that would be different than what we

currently have. We distinguish that from the step increases which is saying our existing step system we have, the current steps do come with annual cost escalations. So just maintaining the current step program is going to cost us about \$9 million, and then over and above that the new and different provisions of this contract would be an additional 11.9. That's how we get to the \$20.9 million total. Similar story with the union counteroffer totaling 28.6 million over five years a portion of that \$9 million is associated with just maintaining our existing step system. And in that case there would be an additional \$9.6 million of new pay increases that they are proposing over the five years. I believe in the next slide -- are we going back to you Larry, to start talking about some of the specific provisions are. >> Well, this articulates what the final proposals were over the five years. We were about \$5.5 million apart on base wages. A little over a half million, about \$800,000 apart on shift differential. And 200,000 apart on the increases in the early steps. And the on-call pay we were in agreement on, education pay we were in agreement on, and longevity pay, we did not make a proposal in our last offer to increase or

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change the longevity as was in their proposal, which was half a million dollars difference. And that accounts for the difference between 11.9 and 19.6, or 20.9 and 28.6 if you include the step pay cost. So as I said with step pay, our final offer was 29.9. We expressed on the last day of mediation our willingness to work with the association on their desired distribution of funding, and we offered additional proposals to address concerns of retention of employees in the early years. One was direct hiring of paramedics into the medic 2 position. And the second one was a new certification pay for paramedics in the medic 1 position. And when we made that particular proposal, we left the -- the amount open for discussion with them about what they believed the appropriate amount would be for that certification pay for paramedics. The association didn't offer a response. They did have some questions about those two proposals. And we offered to stay till midnight, the end of the contract, to come to an agreement or determine if further extensions would be warranted. The association requested early in the morning an additional extension of the labor agreement. They did not make any additional proposals throughout the day. As I said, didn't respond to our hiring offers relating

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to paramedics. And declined the city's offer to continue discussion to assist us in determining whether an extension would be beneficial. And told us verbally, their negotiator did, even if they stayed until midnight they would likely only reduce pay request about a million dollars over the five years. So the circumstances in which the city negotiating team would have recommended a second contract extension are three. One is if we had been able to reach a closing of the gap to within a million dollars

between the two proposals that day. The second would have been if council had authorized additional funding, and the third is if the city manager had directed the negotiating team to spend an additional 5.5 to \$7 million to secure the agreement, which is is, in my opinion, as of the close of our mediation on Monday afternoon what it would have taken to have reached a deal with the association. >> Kitchen: Mr. Mayor? >> Mayor Adler: Yes. >> Kitchen: Could I ask a question? So just so I understand, I just want to make sure I'm understanding. At the end of the day would it be fair to say -- would it be fair to say that ems requested more time? >> Yes. They didn't believe they had time to put an economic proposal together, that they wanted an additional 30 days extension and that they would need -- I believe they said five to six days to prepare an economic proposal. Previous to that day we had been exchanging economic proposals. We would go to caucuses, prepare proposals and bring

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those proposals back to the table. >> Kitchen: Yeah, no, I'm not questioning how the team worked. I mean that's -- I would never do that. Been in enough situations where I know it's -- you know, you guys are the professionals, you are in that circumstance. I just wanted to understand if I was correct in understanding that -- that the union did request more time and wanted more time to talk. >> They did. And that's the answer. And I believe this is -- >> I'm already up here. Making sure. I don't know if I need to say this really, but I'm going to. We have two Austins. We have the -- why am I emotional. We have a happy, weird and beautiful Austin. I'm sure it's my meds. We have a happy and a weird and beautiful Austin. But we have another Austin. And the other Austin people are desperate. Equality is a daily struggle for them. It's their daily fight.

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I guess disease, substance abuse, trafficking, and all the ugly stuff that we read about in the news. That's the other Austin. My medics are being assaulted more. Getting beat up on scenes. They are getting threatened. They get shot at. They are highly skilled, highly trained, young, spunky. They have attitude. And they go out there every day and they face it. The other Austin that most of us don't want to know about. They face dangers that the rest of us don't really think about. You can't see germs, contagions, things that won't kill you for 20 years that you won't know until it's too late. That's where they work. At the end of the day they do things that us Normal human beings would think were miracles. They do it every day. Day in and day out. We have an opportunity right now to send them a message that we care about them and that we value them and we need to step up. We need to do that. We owe them that. Today, even in the midst of all of this controversy and

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newspaper stuff and news media stuff and everything that goes with what's happening, they remain highly committed and they are continuing to deliver the care that we expect to our community without pause, without hesitation. Not even a question. They are doing it. It's what professionals do. Right now, just to be honest with you, pay is the biggest area of concern that they have. Holidays are coming up. Got to pay for that, worried about how that's going to happen. Incentive pay is the biggest question I'm asking now. Am I going to get it. Need it to pay for Christmas. That's a big deal. So some of the stuff that we have done in our contingency plan is address the areas that are well within our control whether or not we have a contract, areas of hiring, promotion, pay, discipline. We've already put that information out to them so that they know that the workplace isn't going to become horrible while we don't have an agreement. Understanding at one point we will work through that and we'll have it. We are currently working with the city manager and other staff to talk about what we're going to do with the areas that are outside of our control completely maybe fall more into your domain. Pay. We would like to maintain the status quo. I don't think it's ever been our intention that through negotiations we would penalize our employees by reducing their wages. I don't think that's ever been anything that's become part of the discussion. And so we're going to propose that that continue. We also propose that the step program continue. And I know there's a little controversy about that and whether or not we should

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continue it. My recommendation is that we do because to not do it will make the next negotiation far more complicated and will probably cost us more money if we decide we need to catch up in the future. One of the areas of greatest challenge for me was actually two. The first one is hiring. The contract has afforded us to have a lot of flexibility in how we hire people. And I give you an example of an area that is critical. We are very committed to try to improve the diversity of our organization. We think that's important. That's a value for our community. Everyone here has said so and we believe it. We started an internship program we started to hire communications medics. Without the flexibility of a contract, we have to start them over again to hire them into the department. Whereas the contract allowed us to do a direct entry right into the department when they finish internship. We don't have that anymore. So that's an example of hiring that is an area. Another area is discipline. One of the things that was really convenient to have in this particular contract was that it would allow me to work with employees when they made a mistake and that's the way we start, people make mistakes. So rather than doing the civil service route, which is strong discipline, I have the ability to do counseling, training and other things that are better than just discipline. So that's an area that would really benefit us as you go forward. In the meantime, those processes, hiring and promotions and discipline are following strict -- the statute strictly, chapter 143. So we're limited there.

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The other thing we're working on is communicating effectively to our employees, and I do everything I cannot to cry at them but sometimes it just comes out to I apologize for that. If you have any questions, that's all I have. >> Mayor Adler: Manager? >> I have some closing remarks about this contract. It's really unfortunate that we were not able to reach an agreement. Negotiations are difficult, they require a series of compromises, and ultimately no one gets what they want. They don't get everything they want. My negotiating team met with me on a variety of occasions including several phone calls and meetings the last day of negotiations. I don't have sufficient financial flexibility or sustainability in this year's approved contract to meet the association's requests, and that's why I did not direct my staff to continue the negotiations because they were not -- the association was not willing to reduce their request. Even if they reduced it a million dollars, I would still have to dip into reserves, one-time money to pay for an ongoing contract cost, and I could not recommend that. And so that's why I told them not to seek a 30-day extension because I did not believe that the association was willing to work with us. We were looking at what I consider very critical improvements in changing step pay in the early years to address the paramedic issue and the turnover that we have. We have a very rich contract. They have step raises. The first two steps are 5%. Which they get on top of the

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base. Every year they have step after that there's 7% increase. They are not annual increases, but when they have a step raise, they are 7%. We have a rich contract. We kept the base step process, we did not touch that. We augmented it in the early years to address the retention issues, but I simply can't afford what the association has asked us to do. And I did not feel like a 30-day extension would allow us to address the challenge we had in identifying a comparable market. I'm of the belief maybe we need to look at the nursing market instead of fire. Not clear where we need to go. But none of the comparisons we've done are perfect and none of us could reach agreement with the association about that. So I think the best thing we can do is keep the current pay structure in place, work towards starting negotiations so we can weave them in for next year's budget. That gives us time to look at comparables, all kinds of numbers. I don't think we can get that kind of work done in 30 days. So that's the direction that I gave to the team. And, you know, I regret that we got to this place. It's unfortunate. It is not meant to harm our employees in any way because we all value what they do every day and it's critical service that they provide. But I have to stay within my budgetary limits. >> Mayor Adler: Ms. Kitchen. >> Kitchen: I would just like to say that I have the utmost respect for everyone who has been working through this process including our city manager and our -- our ems staff, our union, and

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our negotiators. I simply believe that we need to go back to the table, have further conversations, and see what can be done. I respect what the city manager is telling us and I certainly believe that within the parameters in which she is operating that that makes sense. But we can have a broader conversation as a council. We can have a conversation about what is possible. We haven't completed all of our public safety contracts at this point. And the -- the union requested more time. So from my perspective, I don't see any harm in providing more time. I think it's a show of respect for our ems and I think we can all together try to have some conversations to see if there's something creative that we can do. Is and, you know, as I said before, I think that -- I think at this stage of the game I think that there is no down side for us as a community to take some more time to extend the contract and take some more time to work with our ems folks. I don't think it's their intention to try to do anything that harms us from a financial standpoint, and I know it's not our intention to do likewise for ems. But I just think it is -- I just cannot agree with -- at this point in time walking away from the table at a time when our ems folks told us they wanted more time to talk. Even if we don't think they can come up with anything, I think it's important for us to give them that time. >> Mayor Adler: Mr. Flannigan. >> Flannigan: This wasn't where I expected to be on ems.

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It's unfortunate, and I appreciate the city manager's comments and I want the ems department and the paramedics and the folks doing that job, I don't want them to feel like they are not respected and they are not valued. I take this moment to be a place where policy has to be made because the policies we've set up haven't afforded the manager the flexibility to reach an agreement. I don't think this has to be seen as a fight. I think this is a broader policy conversation, to councilmember kitchen's point, than maybe we were expecting to have and I think that's okay. I agree with the councilmember that I don't want to see anyone harmed through this process. I also would not support retroactive contracts in the future. So I am comfortable holding no one harmed as we move forward and whatever form that takes, if it's an extension, what's it is, that's fine, but I also am not going to support a contract that then those salary increases are applied retroactively because I don't think that's a good way to move forward either. But most importantly I just want the ems department and the paramedics and the emts to not lose hope. To my mind, it is the most impactful public safety agency because every single person in community can imagine a scenario where they will need an emt or a paramedic, more so than assuming you are going to need to see a police officer or assuming you are going to see a firefighter. And it's difficult because it is also the smallest of

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agencies and the newest of the agencies so there aren't a lot of institutional -- there's not a lot of institutional memory or common practice around this process, and clearly there isn't across other agencies. So I really want us to move forward and not thinking about this as an adversarial relationship, but one that has just raised to a policy level that we didn't expect. And that's how I'm going to approach this process because I want to make sure that our folks out in the field are -- feel as valued as they truly are. >> Mayor Adler: The -- I guess by way of additional information, if the -- what I understand looking at this is that within the parameters, manager, that you had, you acted really the only way you could because you didn't have more money to spend. Ultimately if we were to do this, the council would have to decide there was money we wanted to take from somewhere else and put toward this. And I don't know that the council would do that, but there would have to be that kind of priority shift made because there's only so much money that's available to spend. Which would have us -- have us go back into doing a budget amendment to decide whether there was different priorities that we wanted to set. And that's a question that we haven't asked you and haven't asked staff to take a look at as to whether or not you would advise or suggest that we set different priorities given these negotiations. Councilmember pool. >> Pool: Thanks, mayor.

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We've heard from our negotiating team and from the chief. I was wondering if we could invite Tony Marquardt up to talk to us maybe for four or five minutes and just give -- because he has also been a principal in this discussion. Would that be all right? >> Mayor Adler: What's the will of the council for that? Usually on briefings it's staff talking to us. Do we want to bring in Tony Marquardt? Okay. Tony, would you come down. >> Pool: Thank you. Thanks, Tony, for coming up to speak with us and I know you've been on the front lines of this discussion and have been communicating back to your membership. And we would like to give you a opportunity to talk to us too. >> Thank you. My name is Tony Marquardt, president of the austin-travis county ems association. I'm very familiar with this subject and I appreciate everyone's remarks and all the time that you all take every time there's some important issue. I really appreciate how you all have engaged. Firstly, I just want to remark on interim city manager's comments on the priorities and budget. Seems to me we started this conversation before the negotiations on the outset talking about public safety spending and what impact that had on the general fund. And as we know, 66, 67% is about what that is for what public safety does. Of that ems net is 4.2% of the general fund. And so we're talking about a difference over five years right now of the amount we're apart and I find it really difficult to digest the priorities when we look at it this way. And so what

happened at the outcome as we sit here right now is I believe police came out with a \$30 million contract over five years. The fire department has a contract, and already we're

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above pay scale, and, you know, and EMS again is outside of this realm. And it's all over this dollar amount that is somehow insurmountable. Austin owns an airport and buildings and, you know, we -- when our team rolls into these negotiations and has discussions like you all just had, we've had that for many days. You can imagine coming in after a shift all night on the ambulance to talk about that conversation and comparables and financials are an eye-crossing event on the best day, right? And so I think it's important to recognize that we have made progress in this negotiation. A majority of the articles of contract, although we didn't agree with them, we wanted to go further, we've come to tentative agreement on. If we looked at it from the sense we could go on about the comparables and admirably really made great observations, that's a conversation that continues to lengthen our talks. But if we can recognize instead and maybe switch to parity, we've made some progress on the financial front. In my view we didn't go quite far enough and I think there's more work to be done. If we focus, shift on something we understand. We understand Austin, we are Austin, we are the emergency providers of Austin. Austin's public safety personnel. EMS works beside police and fire. We have a comparable workload to police and all face the same dangers, same cost of living challenges. When they put comparables up we need to look at what the salaries are now, not theoretically, not percentage difference, not how much EMS gains in Mondayer to amendment without considering where we are currently. Those are the things that are important. The front line medics, our dispatchers, our personnel are valuable. And I think it is something that we need to consider. The changing health care environment is going to require educated professionals.

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We talk about paramedics versus EMTs. We have a valuable workforce. The paramedic is different. That's the highest educated. That's the one that we are going to propose with our medical director which we've had for over a year and have not made much progress, but I believe one day we will soon have a modified dispatch approach to how we do things. That's where the paramedics are going to make a difference. That's where the high eggs educated person is going to determine -- with telemedicine, with technologies, with the funding we were so fortunate to have and thank you so much for to work with population health. We can really demonstrate some values. So when we're talking about the future of Austin, we're talking about financial priorities and how we can't afford EMS personnel for the short conversation of a few more weeks of discussion, I find it almost appalling this is what it's come to. I think

our paramedics are more valuable things. If we want to look at a different ambulance fleet, other things, there's a discussion to be had and we're willing to have it. I appreciate council's time. My reaction is a little different than the chief's, I apologize. I hope you will approve an extension and give us more time to work on the issue. We are closer on matters than we are apart, and this conversation has centered around the comparables, huge challenge. I'm glad to take any questions or simply let you wrap up your day. Thank you. >> Mayor Adler: Thank you. Any further discussion? Mr. Renteria. >> Renteria: We got a board when we got elected, we recognized that EMS was having problems, they were working long hours, so he

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with decided -- we decided we were going to reduce the hours and hire a lot more EMS personnel to try to lower it down to 42 hours a week, workload week. We made it halfway through, but then we noticed that we didn't have enough funding to continue the hiring process so we cut that in half in half which was a quarter and I don't know whether we ever reached that full amount of 42 hours. So we did address that, but it ended up costing us a lot more than what we had anticipated. But I feel like if we could really sit down and negotiate and the union is really sincere and the negotiating team is sincere about feeling like they can come up with a deal, then I'm being more than willing to allow it to continue, the negotiation to continue for another month, but I would like to hear that they will be able to come to an agreement within a month. If not, then we could delay that for another year and come back with a negotiation. But I would like to really know if we are that close where we can reach that and come up with a fair contract. >> Mayor Adler: Ms. Houston. >> Houston: Thank you, mayor, and I do want the members of the emergency medical services to know how much we all appreciate what you do on a day in and day out basis. I'm uncomfortable with the comparables because they didn't really compare apples to apples. We've got fire that also have EMS and we're doing EMS stand-alones. If it's nothing in Texas, I

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think they are going to immediate more time to figure out where they can find something that's an EMS stand-alone and I don't know that they can do that in a month and I don't want to put that kind of pressure on people. So I'm not sure exactly what to do at this point. There needs to be some further conversation, but I don't know that a month is it because the comparables I'm looking for is EMS to EMS stand-alone. If it's not in Texas, is it in Arizona or New Mexico? Where is that? Because I'm sure we're not the only state or the city in the union that has stand-alone EMS services. It's hard to compare apples to bananas. >> Mayor Adler: Councilmember Alter. >> Alter: Thank you. I have some questions that I would like to ask that will help me to understand what might be appropriate next steps, and one of

those may be something that we do not at this meeting but I think it would be really useful if we had a session with the ems leadership where we had a better understanding of their strategic plan, their associated metrics and goals, pain points related to staffing and operations and other things like that. Part of a contract is the pay and we spent a lot of time today talking about the pay. Another thing that a contract does is create an opportunity to address management challenges, and part of that is retention and making sure that our employees are valued, but there are other sides of that as well. And from the discussion today I don't have a clear enough picture about what we were asking for specifically from the union, what the union was asking for from us, what concessions were made. We really do have to have a clear sense of the problem that we were trying to

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attack and the solutions that were proposed. And I think -- I don't know where that comes out because I think that we have this challenge with the comparables, but I don't feel like I at this point have information I need to make the kind of decision that we might need to be making. >> Mayor Adler: Okay. This was a briefing. Any further discussion? Councilmember kitchen. >> Kitchen: This is a briefing, but I think it's appropriate because it's public. We have posted an item for consideration next week that would be a council resolution to extend the contract -- not to direct any particular result out of those discussions, but just to extend the contract to allow further time for discussion. So I just want to let my colleagues know that we have posted that. >> Mayor Adler: Councilmember pool. >> Pool: If we do that, is there any way for us to reassert the existing contract that has now reverted to civil service? Do we have any mechanism to . . . >> Mayor Adler: Counsel? >> Kitchen: To put that back into place. >> I haven't seen any resolution, but the contract is expired right now. So be prepared for next week. >> Pool: So when we continue the contracts on the 30-day piece, can we reestablish that? Can we go back to that, even though we have lost that contract? Okay. Thanks. >> Mayor Adler: Anything else? All right. Then let's move on. Can we do the consent on the 4:00 agenda, or 2:00 agenda? Zoning cases. Anything we can dispense with? >> Thank you, mayor and council, Greg Guernsey, planning and zoning. Our zoning items are all consent

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or consent postponements. I realize, mayor, I think there are a couple speakers that are speaking in favor, but all those items are postponement items. Item number 9 is c142017-0064. This is ready for consent approval on second and third reading. There's a change to the height of the towers from 70 to 75 feet. That was something that's been discussed with the planning team, that there were already aware of that. But it was an oversight. But that should be including a height of 75 feet instead of 70.

Item number 10, c1420170104, approval on second and third readings. Item number 11 is case c1420170074, a staff postponement to December 7? Item number 12, case c1420160021, applicant's request for indefinite postponement. This would require re-notification. This case would come back. Item number 13 is case c1420160090, staff is requesting an indefinite postponement of this item. Item number 14 -- >> Kitchen: Excuse me, I'm sorry. What did you say about item number 12? I apologize. >> Mayor Adler: Indefinite -- >> Request for indefinite postponement. >> Kitchen: Thank you. >> Item number 14, case c14-98-0146, rct. Staff is requesting a postponement of this item to December 7th. Item number 15 is case c1420170096. This is a staff indefinite postponement request. Item number 16 is case

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c1420170028. Councilmember alter had mentioned a possible postponement of this case to December 7th. The applicant is agreeable to that postponement date. Item number 17 is case c1420160121, ready for consent approval on first reading only. Item number 18, case c1420170092, staff is requesting a postponement of this item to your November 9th agenda. And finally, item number 19 is case c1420170110. This is for consent approval on all three readings. And mayor, if I may, I can read one 4:00 item. I know it's also a postponement that's related to item 18. This is on the east 11th street and 12th street case. Item number 20, staff is also requesting a postponement of this item to November 9th. >> Mayor Adler: Okay. We have some people that have signed up to speak. I don't know if they still want to speak. Item number 14 is postponed until December 7th. Is Abraham here? Do you want to speak now? You'll wait. Okay, thank you. We also have on item number 18, Megan Ellis and Patrick Hauk. Do you want to speak today? [ Off mic ] >> Mayor Adler: You'll wait until 9th. Okay. That, then -- and then item number 20, four people here to speak on that. The two of you waiting for the 9th again? And then also James price and Gus peña. Not here. All right. Is there a motion to approve the -- >> I have a question.

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>> Mayor Adler: Yes. >> Mr. Guernsey, there a reason why item 17 can only be approved on first reading? My understanding was it was unanimously approved by the commissioners. >> I don't believe the ordinance has been prepared yet. >> Thank you. >> Mayor Adler: Is there a motion? Councilmember pool, seconded by councilmember Flannigan. Any discussion? Those in favor, please raise your hand. Those opposed? Unanimous on the dais with councilmembers Garza and Casar off the dais. >> That concludes your zoning. >> Mayor Adler: Thank you, number 21, international fire code. I think there's a postponement request here. Is staff here to -- staff, do you have a date you want to postpone this to? >> Councilmembers and mayor, thank you, yes, assistant chief for the Austin fire department. Staff is

requesting a postponement on item number 21 until the November 9th council meeting. >> Mayor Adler: Until the November 9th. On 21 we have Gus Peña signed up to speak. He's not here. You have brought us this postponement. Is there any objection to this item being postponed until November 9th? Ms. Houston. >> Houston: I don't have any objection, mayor, but it looks like a lot of things are going to be on November 9th. Is this something that has to be on November 9th, or could it be done on December 7th? >> Mayor Adler: The question was, we have a lot of things on November 9th. Could this be put off until December 7th, or do we want to hear this on the 9th? >> Staff would be okay with the postponement. We have some stakeholder meetings we'd like to have before we present to council. >> Mayor Adler: Okay. Manager, are you okay with postponing this to the December 7th meeting? All right. Any objection to this being postponed to the December 7th

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meeting? Hearing none, this will be postponed until the December 7th. That was with councilmembers Garza and Casar off the dais. Thank you. >> Thank you. >> Mayor Adler: Postponed. Okay. I think that's all the items except for the executive session items. Is that correct? I think that's the case. And on executive session items, we have just one item, item number 7. So, the city council will now go into closed session to take up one item, pursuant to sections 5501 of the government code. City council will discuss legal matters related to item 7, which is the city of Austin and the U.S. Western district. Items 6 and 8 have been withdrawn. Let's keep item number 8 on for just a moment. We go back there. So, 551 we just talked about. And item number 8, search for and appointment of a new city manager, pursuant to 551, both potential legal and personnel matters. It is 4:37. And we will now go back to executive session.

[5:15:15 PM]

[Mayor]

We are out of closed session. In closed session we discussed personnel matters related to item 8 and legal matters related to items 7 and 8. It is 5:15 p.m. and this meeting is adjourned.