

City Council Work Session Transcript – 10/15/2019

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[9:09:01 AM]

>> Mayor Adler: All right. Guys, we ready? So we have some pulled items today and we have a homelessness discussion. And I think a briefing in front of that. Let's go ahead and start with -- today is October 15th. This is the work session here. We're in the boards and commissions room here at city hall. It is 9:08 and we're going to begin our meeting. We have a quorum present. We're going to start manager, if we could, with a discussion about homelessness and then a conversation, which means we'll deal with the items that have been pulled on homelessness at the end of discussion, which are items

[9:10:03 AM]

29, 30 and 32. But let's go ahead and begin with the briefing. >> Sure. Mayor, councilmembers, members of the community, as you know homelessness is our number one priority in the city. We've been working closely with our partners and expertise in the community, service providers, other members that are really helping us address this problem head on. Within the city we are taking an all hands on deck approach. We are utilizing multiple departments and in a memo that was given to you yesterday we outlined five key priority areas and today we just wanted to take a minute to have the leads from each of those priority areas give you a brief update on the work that they've been doing and talk about some of the future work that's ahead of us. It's also an opportunity to ask any questions that you have about that work that's going on. So with that I'll turn it over to assistant city manager Rodney Gonzalez. >> Thank you, Spencer.

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Rodney Gonzalez, assistant city manager. Mayor and council, yesterday we released a memorandum on October 14th. It follows a series of memorandums that we provided to council providing various

updates with regard to initiatives on the homelessness front. As Spencer mentioned, we've broken out our responses by areas of homelessness services delivery, communications, which is a big function of what we need to do encampment cleanup and storage T housing and public safety. So what you see are the leads for those various functions. Of course, these functions represent many departments and many programs and services that the city provides with regard to homelessness. Much like city council, homelessness is our number one priority for city staff. There are a number of staff dedicated towards providing services and programs. Eve been at it for a long time now. And of course the situation is a serious concern for all

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of us. One thing referenced in the memo was a transition of our current homeless strategy officer, Laura Harris to consulting role. Laura continues to provide expert leadership in this area. We value all the guidance that she has provided us thus far. She will be transitioning to a consulting role. As was indicated last week it is difficult when you move from a particular location and a different state and we value Laurie and we want to be flexible in that regard and we're glad that she provides the services that she has. So with that I think we'll start with homelessness service delivery, first with Bella and then with Laurie. >> ... Outreach and navigation, permanent supportive housing, rapid

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rehousing. So a wide array of services for the continuum of people experiencing homelessness. We have been meeting with our community partners ongoing for new initiatives. We had a recent navigation center pilot that was very successful looking at meeting the basic needs of our community members and continue to work with partners on future activities for respite care for individuals that have high medical needs and are experiencing homelessness. So lots of different projects and pilots and initiatives moving forward. >> Good morning, Laurie Harris, homeless strategy officer. First I would like to be able to say that you guys have an amazing staff here at the city of Austin. There has not been any reluctance or protectionism when it comes to the work that they're doing. They have let me become very

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intimate in knowing what their work is and the contracts they're working on. So I would like to say thank you to the staff that's sitting here and those that are across the building and the other buildings. It has been exceptional in working with the staff here at the city of Austin. So 20 business days in I have really focused on an encampment response strategy. And the media has leaked, much to the detriment of the plan, that this encampment strategy is moving forward. So I'm going to be very high level because if we go into details about the encampment strategy it could hinder our expected results. So long-term, any

encampment strategy that a community has done well, and very few communities have been able to do it well, usually takes six to nine months to plan and another six to nine months to implement. And that would also include making sure that the appropriate resources are

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available immediately for referrals, but also for long-term sustainability for those that need to be housed. And that means permanent housing so on the long-term view how do we pop up housing in our community. So there's some great exploration and discovery around the acquiring of potential properties like motels to be able to do that. Where we can quickly get in 2 to 300 units that we can first utilize as bridge housing and you only want to stand up bridge housing when you know there's a bridge to somewhere, not a bridge back out to street homelessness or unsheltered homelessness. And so with that through that discovery and exploration of that potential, the long-term encampment strategy has a lot of hope and I think a lot of ways that we can be able to move forward on the long-term. For the short-term I want to

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make sure that we all are in agreement that ending homelessness for those in encampments is not a bureaucratic activity. It is to improve local statistics. It is actually a moral campaign that impacts real people with real challenges and housing crisis. And so the data and insights and conclusions that follow a pilot program that we are going to be conducting over the next few weeks will inform how we scale up our efforts community wide. So we're taking the community response system and housing stabilization system into one pilot program and are going to be doing the work. So we're going to be doing outreach and assessment, we're going to be doing service engagement and referrals immediately and then creating a by name list for those that we can't immediately refer to housing or other services, and start to work down that list. And then we're going to do

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sustain. And accountability so after that encampment has addressed every individual, how do we sustain that area and how do we hold ourselves accountable to making sure that that pilot is successful. So over the coming week you will become familiar with where that's going to be and the specific dates and then I will be able to share the outcomes of that as we're moving forward. So I appreciate the grace and generosity as we're building this as we're flying and again, I think the quick movement and the goodwill by the staff, but more importantly by the providers who have said this this is a priority for them who are utilizing the resources that they usually use for other programs or other projects, other deliverables that

they're expected to have. So we are creating a new priority for them and right now we have that goodwill and we have that partnership and so I want to make sure that I also acknowledge our

[9:18:16 AM]

provider community as things are moving forward there. >> Thank you, Laurie. Thank you. Next we'll transition Tory becca giello who will talking other aspects. You heard Laurie talk about hotels and the ability to acquire those. Council, you may recall that last year you had asked us to amend the waller creek tif to extend that tif which then could allow us additional dollars for initiatives on the homelessness front. So we are working on revising the project and financing plan for the waller creek tif to do just that, to acquire bridge housing as Laurie has talked about, in particular hotels. We're at the very early stages. As soon as we have more details we certainly will provide those to council so that way you're aware, but to Laurie's point, you can't have a long-term encampment response strategy until you have that bridge housing. So we're talking about units

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in the number of at least 150 to upwards of 300 and we think that will make very significant progress with regard to homelessness in this city. So next we'll turn it over to Rebecca. >> Rebecca giello, neighborhood housing and community development department. I can appreciate being the lead on housing. As we all know it touches very large spectrums, which is programmatic, financial and regulatory. So almost whenever we talk about housing in that umbrella sense, that's multiple departments that will be reporting in under this category. And will be lead in order to rein in the information. I do want to touch on some of the very specific actions council did take this last September which set the stage for infused resources, which will be available during the pilot. We know that short-term response always does

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definitely help when you have rental subsidies so we have a little over a million dollars more this fiscal year than the previous fiscal year to actually activate rapid rehousing with echo and our service providers utilizing housing trust fund as far as as well as home investment partnership dollars. And so those contractual dollars are available as of right now. And will be infusing all of the efforts that Laurie and her team will be leading. So working with Laurie is going to be very crucial in really identifying the highest and best use of those dollars, which again council did talk about during the budget process. Next are the units that we produce during all of the programmatic activities in our rental housing development assistance program. This is where the sustained housing approach can be

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assisted through long-term sustainable efforts in those units being produced with 30% and below median family income for households specific to that, wrapped with services, which is when you hear us talk about housing in a sustained approach, you will always typically see the Austin public health to the left or to the right. We go together with the unit as well as the services. So that too will be a coordinated effort. I can talk a little bit about that. I think many of you have talked about the fairly recent oak springs terrace ribbon cutting, and that is the exact housing that we will be producing for a sustained model. And then you may be aware that the community development block grant, the department has identified about six million dollars for shelter in a consolidated plan which the council did approve this past August. Homelessness and shelter services was identified as a

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stop priority there soused is an available -- so seed is there. One time funds, this is what council identified through again the budget process and we have starved carved out, set aside for coordination with the homelessness office and so those several million dollars are there in response to a number of different efforts. Again, that's more of a specific departmental response, but what you can see in the housing report back will be a collaborative response from multiple departments. >> >> Next we'll turn it over to Ken so Ken can talk about encampment cleanup and storage. >> Good morning, Ken snipes with Austin resource and recovery. About the cleanup activities, one of the things we want to do is enhance and increase the service that we're going to be providing in support of the bag programs and the right-of-way cleanups in

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general. What we're preparing to do now is just scale up those activities. We're crunching the numbers right now on both twice a month. Currently those services are provided once a month so we're looking at increasing the services to twice a month and then possibly once a week. And we think we can show a market improvement in terms of the conditions and also with respect to the amount of litter that we're seeing just by doing that. And we feel like the work is pretty scalable, so it should be pretty straightforward. >> Thank you, Ken. Next we've Keith reeves from our public information office. Keith will be talking about changes he will we'll be talking to the website as well as additional outreach communications that are underway. >> Good morning, mayor, council. Keith reeves with the public information office. We have a number of efforts

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for communications. I'll give you a brief overview of this morning. We've started meeting with cross departmental group of the communicators from throughout the city departments that are working on homelessness issues. It's a weekly meeting. Our goals are to make sure we're all on the same page on educating the public about what the city of Austin is doing in response to homelessness. Connecting the public to resources and actionable steps they can take to address homelessness, and sharing stories about austinites that are experiencing homelessness. So we've got a number of efforts going on there and there's the departments that are working on that. We also have a weekly meeting we've set up with our interagency partners from throughout the community that are working with us on various homelessness efforts. So our coordination, our goals there are to

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coordinate communications efforts across these agencies, ensuring communications is originating from appropriate agency. And just sharing processes and information in this fast evolving issue. We've got austintexas.gov/homelessness is our active website that we're using. We're working on updating that so it's a little bit more user friendly. It's easier to find information. So that should be up hopefully some time next week. So that is going to focus on Austin's homelessness strategy. Then there will be a section on how the city is helping through housing and shelter, outreach, public safety and protecting the environment. And how can I help, help in emergencies, in learning and volunteering, connecting people to services. And then there will be a section for people experiencing homelessness, how they can get assistance. There will be a glossary of

[9:26:24 AM]

terms as well since there's a lot of new terms that people are using for this. We've got a long-term goal to partner with external agencies to co-locate information on a central website. That's more of a long-term goal. We've got a number of other things that we're working on through media, through news releases and atx productions that we're working to tell the story of what the city of Austin and our partner agencies are doing to address homelessness. Thank you. >> Thank you, Keith. >> And our next presentation is from chief Manley to talk about presentations on the safety front . And more changes to administrative bulletins. >> Good morning, mayor and council. Brian Manley, Austin police department. Some of our ongoing efforts, we continue to partner with arr to provide security during the cleanups that were just described. And additionally our host team continues their efforts out in the community working with ems and other partners,

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working within the homeless community to provide services where we can specific to the enforcement component when we get to that, we have given training bulletin clarifications both on the obstruction ordinance along with the camping ordinance, giving officers further definition of what would be considered a violation under the ordinances as they exist today. So that they have guidance when they either respond to calls for service or in their daily patrols come across circumstances. This guidance includes defining what is hazardous or dangerous behavior or what would be considered obstructing. When it comes to obstructing, what we looked at is the ability for someone in a wheelchair to safely pass on a sidewalk. Also the ability for individuals that are not mobility impaired, but simply walking to safely navigate a sidewalk without having to step over

[9:28:24 AM]

individuals or their property or having to walk in a zigzagging format to kind of get around people that may be sitting or lying on walks. So trying to give the officers some guidance in those areas. We've identified areas that are unsafe based on their proximity to vehicular traffic. In other words, these individuals that are camping so close to the roadway that as we see far too often in Austin that if a car were to leave the traveled portion of the roadway that person would have bodily injury. So we're giving direction on that and on top of that we're also looking at the issues of the waterways since we know that we have areas that are prone to flash flooding and we're working with our watershed protection to identify areas, what the boundaries would be for those areas. So again, what we've done to this point is give clarification on the ordinances as exist today so that officers understand the expectations and we continue to work with our partner

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agencies to provide security during those cleanup events. Thank you. >> Thank you, chief. Mayor and council, in addition, of course, to the frontline staff that works on the homelessness initiatives everyday, we've got assistant city managers, department directors, assistant directors on this issue as well. It truly is a coordinated effort across all city departments, but more importantly across other agencies as well. So when you hear Keith talk about interagency communications, it's very important that we're working side by side with our partner agencies to ensure that we're doing the same thing, we're not overlapping too much on the services, and that we're working jointly. And I can tell you that Laurie has been at the forefront of working with those various agencies, bringing them together, so that way we have a unified approach towards homelessness. So that concludes our presentation. Of course we're here to answer any questions that council might have.

[9:30:27 AM]

>> Mayor Adler: So we have a public safety crisis in this city. Do we have a -- do we have a public safety crisis in this city? >> I think it might be good to hear from our public safety officials. >> Mayor, I do not believe that we have a public safety crisis. I think that we have issues with public order and people's sense of their own safety. We have crime around our city and in our downtown as we've had in years past and as all major cities have. I don't believe the crime has reached a crisis level, but I believe we have public order issues. >> Mayor Adler: Can I parse that with you so I make sure I understand and you and I have had this conversation before? >> Yes. >> Mayor Adler: Last time we spoke you hadn't seen any data that indicated that we had any abnormal or different increase in violent crime or property crime. Is that still true? >> I don't have any data that shows that we have the

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isolated incidents. We have the stories and the incidents that we know have occurred. One recently a few days ago. But as far as data that shows an increase, you know, this quarter over this quarter last year, we're still splicing that. >> Compiling that. >> Mayor Adler: But no data that shows increase in property crime or violent crime? >> No data that specifically links to this, no. >> Mayor Adler: There was an incident that you mentioned a few days ago where someone threw a scooter through a car. Ask that the one you're referring to? >> There was an assault that took place this past weekend as well. So that was the one I was specifically referring to, but you and I have talked about the scooter incident as well and we're still determining whether that individual was homeless or not. >> Mayor Adler: We don't know whether that person was homeless. >> I do not right now. >> Mayor Adler: So we live in a city right now -- understand that we don't have data to suggest any increase in property crime or violent crime. We do have people -- there was a Texas monthly article

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that came out here within the last few days that spoke to a woman who said that she was safer now. That she used to be in the dark and hidden places in our city, in the greenbelts or near rivers or creeks -- I don't know exactly where she was, but she said that being assaulted was kind of part of her life. I mean, my sense is -- and that she is now out and feels safer. That's consistent with probably about a dozen women that have come up to me on the street that describe a life where they're in isolated places alone, not in a place where they can really call for help, and have reached some kind of horrible peace with that activity, and have come to me and asked me to thank the city for taking them out of that place and allowing them

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to be in an area where they're more visible and they're more surrounded by people because they're not experiencing that same assault. Is it -- I want to parse what has changed and what has not changed in the city with respect to public safety. You said that we have some people in the city that are not feeling as safe as they did before, is that correct? Do we know if the city in our city are -- if the people in our city are not as safe as before or is it a feeling or perception of some people? >> Well, I think to answer that we have to talk about -- and maybe how you started the question -- what's changed? And with the changes to the ordinance is what we know is that people in our community that were living in the woods or out of public space have now moved into the public space. The homeless issue is much more visible. We see larger numbers of our

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homeless communities under bridges or on sidewalks. So the opportunities for interaction from individuals in our community that are not homeless with those that are now more prevalent in public space is greater. And then anecdotally we know from either the accounts we've heard from meetings that we've been in together with many of you or otherwise that some of these interactions are aggressive, that the sense is that some in the homeless community have become more emboldened by the changes. So that leads to these interactions being more aggressive at times. All of this is against the ordinances. We know that. But we also know that with the resources that we have we're not on every street corner and in every block to be there when these incidents occur. So from that sense I think that there is a feeling with some, especially in the downtown area, but in other places as well, that their personal safety is not what

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it used to be because these incidents, they do tend to get a lot of attention in the media and social media as well as we've all seen. We've talked about a few them already this morning. I think that that kind of advances that belief. >> Mayor Adler: Okay. So I want to talk this B this because it's such a debate in community right now. So what I understand from what you just said is that what's changed is potentially we have people that are now in safer places because they're out of the dark places where there's no one around and now they're more visible. We hear that anecdotally. It was reported in Texas monthly anecdotally. We also know that there's a greater interaction happening in our community right now between people that are experiencing homelessness and people who are not. Out of that interaction, you're saying that anecdotally we have heard that there are some people that are more belligerent or more aggressive that are experiencing homelessness than existed before. I want to talk about that for a second.

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We have an ordinance in our city that makes it illegal and it's an offense to aggressively confront someone in our city, is that right? You mentioned that. >> Yes, it is. >> Mayor Adler: Okay. So it's just so that the public knows that a person -- if the person approaches in an aggressive manner, we have an ordinance that discusses threatening or trying to intimidate or following somebody if they say move away or being too close, we have an ordinance that makes all those things illegal, is that right? >> Yes, we do. >> Mayor Adler: When we talk about aggressive behavior that we hear about anecdotally in the city, do you think that anecdotally what we're hearing about is conduct that gives rise to a violation of our laws? Is it that or is it both that perhaps a level of behavior that doesn't rise

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to that level, do we know? >> Mayor, I think it's probably both. I think that some of the anecdotes that we hear, they absolutely rise to the level of violation. Again, it's just that we don't have officers on every street corner and every block to intercede in that moment. And I think we also know that there are calls that we get where an individual feels like their safety is impacted and prior to the changes to the ordinances we might have as we talked about asked that person to move, got that volunteer appliance and at least -- compliance and at least changed the behavior for that moment. Whereas now we don't do that because if it doesn't rise to that level of dangerous, obstructing, we don't have the authority. I think the answer is both. I think we do have encounters that are aggressive and violent the ordinances. They often are the ones that we see get portrayed over and over again on social media. And then we have some that don't rise to the threshold of being an actual issue with hazard or danger, but

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it's someone's perception of their own safety. >> Mayor Adler: So the safety risk or the order risk is not the violent crime or the property crime, it's the interaction with people and it's an increased level perhaps of aggressiveness, some of which would cross the line of being illegal and some of which would not. >> Yes. We're working to pull together the data on actually hard crimes such as aggravated assaults, robberies that involve members of our homeless community either as victim or as suspect. And to compare that to a similar period of time last year to look for any changes. That's what we have to understand to be able to say whether there's been an actual change versus these incidents that we see where it's at least violating the ordinance for the aggressive conduct, but not a state law. >> Mayor Adler: And I understand, but at this point there's no indication of an increase in violent crime or property crime. >> I don't have the data yet. >> Mayor Adler: Okay.

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Thank you very much. I just wanted to talk about what the public safety issue is, and it's the interact -- do you know if it's a limited number of people that are involved in the more aggressive behavior? Do we have a feel for that? >> I would tell you what my belief is, although it's not substantiated in any of the data that we have. Just similar to society as a whole, I think that we have within our -- those who experience homelessness in our community, I think we have some that are willing to commit crime. I think we have some that are within that community that prey upon the homeless and others. And then I think we have a lot that are there by circumstance and are trying to abide by the laws. >> Mayor Adler: Do you have a feel for how many people that you think within the community experiencing homelessness that are aggressively confronting people to the degree that it would violate our law? >> I do not. >> Mayor Adler: Okay.

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I appreciate that. I have other questions and then I'll pass. I want to ask about the public health in our city. Do we have a public health crisis in our city? >> Good morning, Stephanie Hayden, director of Austin public health. We do not have a public health crisis. The can data does not support a public health crisis. >> Mayor Adler: So there's been some question about whether or not we're putting the people who live in this danger of communicable diseases by virtue of the action that we took in June. Have we increased the risk or danger of communicable diseases by the the action we took in June? >> We have not increased the risk. One of the things that's really important is that based upon the data we have, as of 2019, we are not aware of any spread of -- from the

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homeless population to the general population. We are constantly monitoring and doing surveillance in our community. >> Mayor Adler: Okay. In fact, again, there's no evidence that we've increased the number of people experiencing homelessness in our community by what we did in June, which means that we have people that were homeless in our community and either they were out of sight or they're now in sight. Is there any reason to believe that somebody who is now in sight is a greater threat to public health than somebody who is not in sight? >> I would say the department has provided for the last five years, the department has provided a significant number of vaccines to at-risk populations. And those vaccines are really -- because there is vaccine preventable diseases and those are typically the diseases that communities are concerned about, like

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hepatitis a or hepatitis C, tuberculosis. We can say over the last two years that 100% of folks that have presented to Austin public health, even if they were homeless, completed all of their treatment. And so

when they did return to their environment, they were cured. >> Mayor Adler: Okay. There is -- I've also heard anecdotally from some of our service providers that now that people are less hidden, they're able to reach more people with care, with support and with services, and that when they see someone on Tuesday if they need to go back to them again, they're there on Thursday and they're not having to try to find them again. Are you hearing that same kind of anecdotally information? >> We are hearing that because, for example, if an individual does a tb

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screening we need to go back a couple of days out to be able to follow up with that individual. So that consistency of being able to locate an individual and follow up is very essential for public health care. And just medical care as well. >> Mayor Adler: Okay. So I have a quick question about feces and needles and I don't know if I should ask you or someone else I should ask about that. I want to know if we have feces all over the city, I want to know if we have needles all over the city? >> Absolutely. It's a topic that we're prepared to talk about from the public health perspective. And I'm not sure if we also have someone from our parks and recreation department. We talked about that specifically this week, the needles. >> Mayor Adler: Okay. >> So one of the things that -- based upon the data and probably the folks that are doing some of the cleanups will be able to address this as well. There are some spots where

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where fecal matter has been found and we have some folks that are trained and are able to -- in working with companies that are able to pick that up as well. But I mean, feeling, overall, in comparison, we're not really seeing more of it than we did before. There's just specific hotspots that are the same hotspots from when the -- had not changed. So I think that's the thing. There's just kind of consistency. And I'm going to turn it over to Kim Mcneeley so she can talk about what's happening over in the parks area. >> Mayor Adler: Just make sure I understand what you said. What you said is that you don't have anymore incidents of feces or needles. We have hotspots but they're the same hotspots that existed before. >> Absolutely. And I would turn it over to the folks that are doing the

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encampments to talk to you more about the needles. The fecal waste has come to our offices with those concerns, and we've been partnering with them to have those conversations. So I would ask them to specifically answer that question. >> Mayor Adler: Mismcneeley. >> Kimberly Mcneeley, parks and requisition. I could echo what the director has said, the number of needles or the incidents of fecal matter has not increased, to our knowledge. However, the parks and recreation department, along with

our other partners, have provided a process by which we can ensure as much safety as possible by distributing sharps containers. So we're not saying that we're seeing an increase in needles, nor are we seeing that the needles are an issue. What we're saying is from a parks and requisition perspective, to ensure that our parks staff and the individuals part of encampments are as safe as

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they possibly can be, part of our protocol is to distribute sharps containers so if there were needles found or if somebody happens to be using they are able to safely put those in a space to keep the encampment safe and the individuals who would eventually clean up the encampment as safe as possible. It is a tool in the toolbox to ensure as much safety as possible. I'll allow Richard to talk. >> Yes. Richard Mendoza, public works director. I also wanted to share in terms of our activity of cleaning up on a monthly basis, the underpasses throughout the city, we are not encountering a high amount of needle or feces. This is still mostly debris and trash and objects that are deposited on those underpasses. >> Mayor Adler: Okay. I understand, manager, you're increasing the frequency that we're cleaning up under the overpasses? You gave us a report about a

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purple bag program. As I drive around the city now, I pass more overpasses where I see trash that's been collected and bags that are waiting to be picked up. Is there an effort to accelerate that work? >> Yes, sir, there is. In fact we recently completed the violet bag pilot and our data from those results are moving forward with our partners at txdot to put permanent containers to affect a better debris collection activity. >> Mayor Adler: My personal experience is I'm meeting the same -- reading the same social media I think everybody in the community is and if you're if you read the social media you're left with an impression there's a public safety risk we have, much greater public health crisis facing us, you have the impression there are a lot more needles and a lot more fecal matter. So it's important to hear what the actual data says.

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Beyond the route of the few people that are on social media that I see a lot of that are -- that are creating, I think, a lot of the stuff that people then read and they think is true, are we seeing any increased -- has there been an analysis -- my understanding there has been an analysis of the 311 calls coming into our city, and I think this was something that had come from Taylor cook. Is she here? She's not here? I don't know if you've seen the analysis that she did of the 311 calls. She sent a response to the question I had asked -- >> Tovo: I'm sorry. Through what forum did she provide that information? >> Mayor Adler: I sent her an email. She sent me an email back. I will make this email

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available. I will post this email. >> Tovo: Thank you. >> Mayor Adler: I had thought she was going to be here to be able to talk about it which is why I didn't have it. But the -- she looked at whether there was an increase in 311 calls with respect to trash and to garbage. I know we see increased social media posts, but in terms of people actually doing it, she goes through the data. She looks at the comparisons that she had. Her concluding paragraph is, you know, let's see what we have in September because it could look different but right now there's no pattern in the 311 data that would cause me to conclude that the ordinances have caused a consistent change in residents' general perception of health and safety, where I would expect all calls related to spike in July or in the immediate change of health and safety, where I would expect a change in monthly frequency to be sustained. I'll post that email so that people can see it.

[9:50:44 AM]

>> Kitchen: Mayor, could you submit to us shortly or have your staff do that? >> I'll have my staff post it immediately on to the board. I can't send it to everybody because it would violate the rules. If somebody on staff could send it to all the councilmembers, that would be helpful so everybody has that. >> Pool: Mayor, really quick. This was passed out to us. Do you know who this was from? >> Mayor Adler: That's from me. These were questions I posted to the q&a -- >> Pool: Okay. Your name wasn't on it so didn't know. >> Mayor Adler: That's all right. The q&a hasn't been published, but these questions all go -- and I'm going to conclude with this, but before I get there I just want to say that it's really important that the community understand the data. Obviously we're dealing with a significant challenge in this community, and by the presentation of data I'm not trying to minimize at all the concern that exists in the community. I for one am really proud to be part of a community that is actively involved in

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trying to end homelessness. I know there were a lot of discussions yesterday about homelessness in Dallas for example, and I know Dallas is struggling with the same challenges that we are and is doing the best they can. Quite frankly, I think Dallas could really use state assistance the same way we all could. We're doing a little better than Dallas by some indicators. We have fewer people experiencing homelessness per thousand people than Dallas has. And that's even with Dallas getting between 15 and \$20 million a year from the federal government every year for the last ten years which when Austin has only gotten 4-6 million-dollars in that period of time. Houston, which is doing better than either Austin or Dallas received between 20 and \$40 million every year from the federal government to help with housing, and I think that that additional money is being reflected

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because they're having the resources to actually be able to house people. And while we have fewer people experiencing homelessness per thousand than Dallas does, than fort Worth does, we both have similar challenges as to cities across the state. But I don't mean to minimize what people are feeling because I recognize that it's not comfortable to see poverty. I recognize that the public issue that I think the police chief is trying to react to, that people are feeling unsafe, you know, is in part due to some people that are exhibiting aggressive behavior. I would urge everybody to call 911 if they see anyone doing that because that is a violation of the law. But what I think a lot of people are afraid in this community in part because of what they're reading on social media. They're afraid of people that they don't know because I think that the evidence will also demonstrate that most people experiencing homelessness are not

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aggressively confronting people. They're trying to survive and be safe. And I really am proud to be part of a community that is trying to deal with this, but in a way that houses people rather than hides them. I'm also recognizing there will be discussion here in a little bit about doing what we said we were going to do in June, which is to resides that we want to take care of public safety risks as we have ordinances in place to do that, public health hazards as we have ordinances in place to do that did and we want to enforce them, but we also have to make sure that we are inclusively managing our shared spaces because they are shared spaces for all of us. No one has 100% of the right to use 100% of the public space for 100% of what they want. As we said in June we have to be able to figure out how we manage those public spaces and I am really

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hopeful that the council will act this week to in fact do that. But I'm going to conclude with this and I'll passover to the manager, as our city manager speaking to our community, I would like to know whether you think we have a public safety or public health crisis on our hands that requires us to take action at a level that we are not acting now? And if you feel that way, I want to know what it is we should be doing now that we are not doing. >> Manager, and mayor and council and just as you heard from our experts, we are ensuring that this is a community challenge that we are tackling, but in terms of the public safety, a passage crisis that has escalated to a level we're seeing in this community is not based on the facts we're seeing on the ground. We continue to lean into all the resources that we have available. We are putting together the response that is required with the experts that our community needs, and we

look forward to the conversations that happening this week around any ordinance changes, but we know that we

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will be able to get through this as long as we keep the path, that we keep working towards the solutions that are recognized throughout the country and that we have hired expertise to help us through. So to answer your question, mayor, we are not seeing that crisis to that level that you're describing, but we know this is a challenge our entire community needs to come together to address. >> Mayor Adler: Thank you. Other people on the dais? Paige. >> Ellis: That's absolutely right. I want to thank you, city manager, thank you Rodney, Laurie, everybody else, department heads, working on this issue. I have full confidence in your ability to solve this. I know you've all been working day and night to get our city in the best possible position to solve homelessness even though there may be some people who have differing opinions on the outside about how we're going to do this. I know that the one thing we all can agree on is we don't want people to experience homelessness. We don't want people out there when they really want a house over their head.

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So I want you to know that I'm committed to keeping our eye on the ball, to be able to really come together and solve this problem. I think the community has experienced frustration because they want to know every single detail of everything you're doing, and that's a good thing. And so I just want to make sure that you know I'm committed to this being an all hands on deck approach, that I'm here to help communicate things to my constituents and to people who are asking me, you know, what's going on, what's happening next? And that we have an opportunity here because I know that our community really wants to join together to really address this problem. And so I know there has been a lot of frustration. I've heard it from my constituents and other stakeholders. But people believe in us. They believe in you. And I just want you to know that I appreciate all the work that you're doing and to just reiterate every single update that can be coming to us, I'm really happy to here there's gonna be a website rolling out next week because I think

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that's gonna help people really understand all the moving parts of this and to get updates as often as possible so that people are feeling, if they're refreshing their browser, that they're getting a little bit more information. I think that's more of an eagerness to understanding all the work that's being done, but I want to make sure you know that at least I'm committed to providing that space for you to do this good work. And I want to make sure that you're allowed to do the dork that you need to do even if

we're asking for updates every moment of the day. So thank you. >> Mayor Adler: Ann. >> Kitchen: I have a number of questions. I'm just gonna ask one or two right now, and then when we get to the point where we're talking about the proposed ordinance and resolutions, I'll visit with those more. For our staff, thank you all very much. I know that you all have been working very hard and we really appreciate that. And the same to our city

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manager. So I wanted to drill down just a little bit on what you reported on, specifically the hot line. I'm very excited about the report related to the hotline because one of the things that I hear from my neighbors is, you know, they do care about people, and they also care about the health and safety of their neighborhoods. It's not just that they're uncomfortable seeing people that are poor. They actually want to do something about this, and they want to be part of the solution. And they're not sure what they can do. So they want to both have a place that they can report what they're seeing or people that they may be interacting with, and they want to have some understanding of what is then going to happen for that individual person. So to me, I've been thinking -- so I want to

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understand what y'all are thinking in terms of the hotline and how you see that happening. So if, you know, the neighbor calls me and says, you know, I've -- and this is actually something that happened recently. He said that on his way home he talks with someone under the overpass and has done that on several occasions. He could see that that person needed some immediate help but he didn't know who to talk to about it. So we connected that person. And thank you, Laurie, for helping us make that connection. We connected that person to some social service assistance. That seems to be working. My thought was the purpose of the hotline was for people to be able to pick up the phone and call that -- I see you have a phone number for it. Be able to call that number and then there would be some connection so that that person that they're

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reporting on, the appropriate action would be taken, whether that is an emergency situation or whether that's a situation that just involves connecting them to a service provider. And I can see that -- so my question is, is that the intent? And my second question is, what kind of feedback loop is available for that individual who makes that call? Or have y'all thought through that yet? I understand if you're still trying to work through all the details. >> Absolutely. Just for the public's reference, page 5 of our memo talks the hot, like, in particular the number 512-972-home, standing for home. It's mentioned in the memo the hotline is going to be answered by our 311 ambassadors. We currently have that service

through 311, however sometimes folks misunderstand that 311 is for other types of situations. We want folks to understand there is a specific hotline

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created for our most highest priority, which is homelessness. I think it's doing just what you talked about, which is currently being done, where 311 connects individuals to resources, and more importantly, 311 does do follow-up through service requests. >> Kitchen: Okay. >> So typically if the caller wants a response back, then 311 will actually program that in so that way the customer gets a response back or the resident gets a response back. I do think what we want to do is work more in partnership with 311 to ensure that they have the immediate contacts of who to link individuals up with. And so we certainly have that in the plan. >> Kitchen: Yeah. The reason I asked that, because there's a lot of steps in the process, or at least there has been, and so it's easy for someone not to know how far those steps went. So someone may call 311 and make a report and they may or may not get a response back or the response back a

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lot of times might be, well, we referred this situation to someone else, without actually knowing what the resolution is. And I understand that there's challenges to following those steps. But what I'm talking about is a process whereby the public can call 311 and they have a mechanism to know both who that was referred to and that what actually happened with that individual. Was that individual actually connected to services? And that's the kind of thing that I think would be real helpful for individuals, and so I think I heard you saying that that is the incident. Is that right? As opposed to -- because right now what happens with 311, and it's no fault of theirs, what happens right now, someone calls 311, makes a report, they don't always get any response. Sometimes the response they get is that, I'm sorry, there's nothing we can do at

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this point, or sometimes the response that they may get back later is this was referred to someone else. Very rarely do they get a response that actually helps them understand what actually happened to that individual, and then they're frustrated so they don't call 311 anymore. So that's just -- I'm just pointing out these challenges. I'm sure y'all are aware of them. I don't point this out -- I don't think our 311 staff are doing anything wrong and I don't think that -- I think they're working within their resources, but I'm just suggesting that for a hotline to really work -- and I use the term "Hotline" deliberately because a hotline is all about really immediately taking care of things, you know, as quickly as possible. We've done hotlines in our community for different reasons before. We did the hotline to help tnc drivers get

connected to employment when the tnc companies pulled out and left their drivers high and dry. So we did a hotline for

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that. We've done hotline in the past when we've had hurricane Harvey, different hurricanes, for example. So I'm just wanting to -- that's what the difference is to me, you know, that number to call, which I'm really just really excited that you all have acted so quickly to get that set up. So but then also the actual feedback loop on the other end. >> Thank you. I think what we'll do is of course engage 311 to talk about just what you're asking, which is what is that feedback loop. So that way we can provide council very definitively what that feedback loop is that 311 has. >> Kitchen: Okay. Then my last question about the hotline is when will it go live? >> Sure. Laurie wanted to apply reply on the hotline as well. >> Councilmember, you and I exchanged a few emails on this. >> Kitchen: Yes, thank you. >> Yes, in a grownup system we absolutely want to have a few different hotlines. A hotline, as you're

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referring to it, is where, hey, as a community member, I see somebody who is experiencing homelessness. I want to make sure that they are being seen, that they are being referred, and so scripting with 311 is going to be really important. Another aspect of why there may not always be a feedback loop but what was the resolution is because many of the folks that are experiencing unsheltered homelessness are dealing with a multitude of issues, and so because of privacy or hipaa it would be difficult even for us to know specifics of what happened to that person. So I think scripting is gonna be an important part of that, also saying when you receive those calls from 311 of letting the community realize that, you know, there are limited resources and that the path towards housing is long and complex but we will be making sure that that person is going to be addressed as soon as possible. I also think the other call,

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other hotline would be I need help, I have a housing crisis, so that may not be the same number. And then there's another, you know, crisis hotline I was saying I have a brand-new neighbor sitting on my corner that put up a tent. I don't know what to do with that. And so looking through that. So, you know, trying to grow up that system is going to be important as we're kind of growing as a community and having an increase in population and people who are seeking of how do I help or what do I do, I don't understand this? So the scripting with 311 I'll be working with communications on, but that is going to take time to massage and also building advocacy and awareness with the community through the website and then also through the 311 responses. So I appreciate that, and I'm glad that would

community is on that path towards those. >> Kitchen: Okay. >> Councilmember kitchen, I can answer your other question. It is live now. >> Kitchen: Okay. So thank you. So that line is live now.

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So we've talked about some of the challenges that will need to be worked through. So how often can y'all report to us on -- to respond to the questions that we just raised? >> We'll work with 311. 311 currently provides various reports on homelessness calls or calls regarding homelessness that they get so let us work with 311, as far as the reporting for this specific hotline goes. >> Kitchen: Okay. >> Whether that's weekly or monthly, but we want to get out as much information to council and to the public as possible that shows that, yes, we are receiving these calls and, more importantly, that we're acting upon those calls and what that action is. If you don't mind let us talk with 311 about the reporting they can do for us. >> Kitchen: Okay. That's great. I understand. When I -- what I'm thinking about, you know, in terms of letting people understand that -- what action has been taken, I don't mean anything that would violate a person's privacy. I mean more just the step

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they were actually connecting, what actually occurs in terms of getting them service says private matter, so I don't mean that, but just the fact that people can feel some comfort or understanding that the person was actually connected to a social service or health person or mental health person or something like that. >> Absolutely. That's how I interpreted it, was how do we connect those individual with the services. >> Kitchen: Last thing, this is inherent in your reporting, as you start to report that to us, what will be really important for us to understand is what challenges and limitations that you may be facing in terms of resources. So, you know, we have X number of people reporting. You were able to connect Y number, and the reason that the rest weren't connected is because of the needs or challenges or resources. That way, as a city council, because it's our responsibility as a council, you know, it's our responsibility to protect

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public health and safety and that includes the health and safety of individuals experiencing homelessness, we need to know if there are additional or different kinds of -- or whatever you all need in order to be effective with the hotline. So thank you. I will -- I'll defer additional questions, allow some other folks to speak. >> Mayor Adler: Natasha. >> Harper-madison: Actually, mine is really, really brief. In addition to my colleagues gratitude and appreciation for all the HD work going in here, I had a couple things that occurred to me as you guys were speaking. One, from the communications perspective, I see some of the future website improvements, and as all the various departments were coming up it

occurred to me that I think a lot of folks in the general public don't know what y'all do. So, for example, we had Rebecca come up. I think something that might be helpful as you're

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breaking down information and really allowing people the opportunity to be part of this process say this is the contributing organization, this is what they do. I think that could be a helpful addition. I really appreciate the attention that you guys are paying to the glossary because we definitely are -- some of us are speaking Spanish and some of us are speaking Japanese, so I think if we could get everybody speaking the same language that would be very helpful. That occurred to me when I think, Rodney, you said something about a tif earlier. As we're using acronyms, making certain people understand what the acronym stands for, how the tool can be applied, and why it's important. Cdbg was another one when Rebecca was speaking. I think a lot of the confusion that you were making reference to earlier, mayor Adler, has to do with people not feeling like they're actually being included in the dialogue in a way that's transparent and thoughtful. So that was my only contribution. Thank you. >> Thank you.

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>> Mayor Adler: Kathie. >> Tovo: Yeah, thank you. Thank you, both, for the work that you remember -- you have done in the past. I think we've really had an opportunity to hear about some of the programs that have been successful that you've been engaged in for years. So thank you to all of our staff for working on, and all of those past initiatives as well as the new ones up ahead. I have a couple quick questions. The first -- I'm really glad to see website moving forward. I think this was actually an initiative that, councilmember kitchen, you had described in one of your resolutions, asking for that kind of online presence that directs people. One thing I just wanted to suggest is that some of the -- like the navigation center city view piece might be a really super one to connect to the website. So as we have those good presentations or good highlights of different programs it would be great to hook those up to you that website. I heard a good update the other day about the host

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team. I know we've had presentations about the host team here, but they presented to the sobering center board last week and that was an interesting snapshot about where they are now in their progress so those kinds of things might be useful and helpful to the general public. >> We are getting that out through social media and the website. >> Tovo: Great. >> I know the crew has gotten footage with the host team so there's something in process on that as well. >> Tovo: That's a terrific program to highlight. It's not a new program, but it just continues to be really successful, and I think is good for the community to know about. I'd like to talk a little bit about the difference between bridge housing and

emergency shelter. Laurie, that's probably a question best answered by you. We've been talking a lot in this community about emergency shelter, about long-term housing, about permanent supportive housing, about housing first, but bridge housing isn't something we've spent a lot of time in. If you could describe the differences you see there. >> Sure. Thank you, councilmember. So in the most effective

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systems really it's about the throughput. So if somebody says I'm experiencing housing crisis and then getting stabilized into housing is the angle, and what we are seeing in our community in the very short assessment that I have is that we don't have a good throughput. So you have a lot of folks sitting in coordinated entry waiting for housing for years. And what you can do in communities -- again, I still haven't dug into the real data, but just preliminarily, one, I believe we need more robust divesting and diversion program. We have that but it's not as robust across the system, where all of the providers are participating in a diversion system for the entire community, which means that no one really gets enrolled into coordinated entry if you have an opportunity to solve their housing crisis before entering. Because once you enter the homeless system it's extremely challenging to get out of it. So what we want to do is to prevent and divert people from entering into the

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system if possible and problem solve as soon as they enter the door. The second is, okay, well, I need emergency crisis bed, right? So that crisis bed could be at sobering center. It could be at the arch. Now that arch, one out of the many other emergency shelters are now housing focused, right? But you need all of your emergency shelter providers to be housing first focused. Without that you have stairs in your emergency beds that are there for too long where you're not focusing on how to get somebody housed as quickly as possible. You may have a program that says you have to do a certain amount of steps and, you know, have these high barriers towards housing. And so because of this then you have a crunch now in the pipeline when it comes to your emergency shelter system. When we have identified somebody who is in coordinated entry, either unsheltered or emergency crisis or in some other type of program who has been

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identified to be into housing, we say, okay, you have a case management slot, you have a housing subsidy, whether that's rapid rehousing or permanent supportive housing, but we may have even found you a unit but that unit is not going to be available for 30 or 60 days. But they're taking up a bed in an emergency shelter, and so what we do is say, okay, let's put you into bridge housing. And bridge housing could be something as simple as a motel. It may be in another program that has another free bed based

upon, again, it's about prioritizing who needs what at where. So it's problem solving for that person where they're at. If that person says, look, I have everything I need, I just need 30 more days or seven days before my apartment is ready, then we put them into bridge housing. Bridge housing only bridges you to permanent housing. Bridge housing is not intended to keep you there like emergency, crisis, or through some of the older traditional transitional

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housing programs. When I spoke about bridge housing it was in reference to the motels that we're talking about and we're exploring. Motels that we're exploring that would at first be used as bridge housing would be slowly converted into permanent supportive housing. So the folks that would be placed into that motel as a bridged house person would stay in that motel, and then as we convert units into permanent supportive housing because there's certain standards that are expected between a motel and permanent supportive housing, then we would move that person from bridge housing to a permanent supportive housing unit. And so that is how I see that we can have a faster throughput for our community. >> Tovo: Thank you. Thank you for that. I assume part of the assessment that you're doing -- and I know the resolution that I brought with my colleagues asked for some of this analysis to come back. I assume part of the assessment you're doing is

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to try to figure out how many additional shelter beds we might need versus bridge housing versus other units because my guess is that we probably have a gap in both of those areas. We don't currently have any bridge housing or at least a lot of it, and we probably have a gap in our emergency shelter as well. >> So initially with the emergency shelter -- again, this is very preliminary and not a whole lot of data, but I did have great conversations with my colleagues at neeh and my colleagues at aph. So with -- again, with our current emergency shelter system -- so there's the crisis system that's made up of emergency shelter and all the other crisis response, and then you have housing stabilization system, which equals ending homelessness. What I'm seeing currently from the emergency shelter system is that you have long stayers or high barriers for someone to be there, or they're timed out. And so those type of challenges in a community means that you have more

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unsheltered homeless than you do sheltered homeless. And so, yes, we absolutely need to begin to think about how do we right-size and have standard and consistent program entries across the entire emergency crisis system when it comes to emergency shelter. And that currently is not happening. We made really great steps by addressing the arch and being able to do that, so, you know, the work that

aph has done and saw that that was a need is going to be, I hope, the tipping point to show and model the behavior that we wish to see from our other providers. But that takes time. But I do expect to be able to provide some of that information to you all so that you know where to make the best strategic investments so that we can have that throughput that you guys are expecting. But I would also say, communities that have also made the most significant impact on moving the needle on homelessness have a very strong street-to-housing

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program, and that is building here. There's some really good work that's already starting here, but that is where we have found -- and there's some data by usich that talks about some of the top 12 communities of care, which is we're part of a community of care through the H.U.D. Band-aided system of how we address homelessness, and talked about those 12 communities and how within those 12 communities their unsheltered population got housed faster with knowing that they actually had less emergency shelter beds. And so that says something on the national data, that just because you create more emergency shelter doesn't always equal less unsheltered. So it's a two-prong approach. Yes, make sure you have the beds for those who want them but for those who are reluctant and hard to hour, which is what we're dealing with, which is part of the challenges with the throughput, you have to be able to work with them, case management on the streets,

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and do street to housing as quickly as possible. >> Tovo: Thank you. So there are a couple quick points I want to ask about in the memo itself. There's a section about the tires and tax increment reinvestment zone. Rodney, I think you talked about this. So as I understand what has happened to this point with regard to the tires amendment, that is all in progress. I think one of -- mayor Adler's resolution talks about that amendment but it looks to me as though that work is in progress, we're about to in December get back that report, the financing plan is underway and will be completed by the eighth. >> Absolutely. That's on page 3 of the memo, the tax increment reinvestment zone. The issue with tires, as they are, is typically dollars spent from that tires are projects that are within the tires boundary.

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What we're talking about in bridge housing are projects that are outside of the boundary. And so what our consultant is doing is he is doing a study that shows when you invest these dollars outside of the boundary of those tires that the tires properties actually benefit. It's something unusual, typically not done, but our consultant is confident through this type of project that we can show that nexus between those bridge housing projects and increased values within the tires. So we have to do that, and the

reason why is because ultimately when we issue bond dollars against the tires revenue, those bonds have to go to the attorney general's office, I believe, for approval, and so they are looking at these types of expenditures and making sure that they do benefit the tires. >> Tovo: Great. I had thought we had initiated that so I just wanted to double-check and I'm glad that work is about to return to us. Then I wanted to -- let's see. I think that's it -- oh, no. I do have another question. As the hotline for 311 gets

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up and running and I think that's great, especially -- I guess I would also raise to your attention and I'm sure you're considering this how we message back and forth between 211 and 311, especially if you have individuals who are trying to get a understanding of what services are available, they may -- they have in part because we've encouraged them to call 211 to get that information likely will call 211 instead of 311 so I hope there's a game plan for figuring out how to get people back and forth between the two systems. >> We can certainly work with the communications and public information on that. I think to the point earlier, it's really important that we help the community understand that there is a hotline as opposed to 311 or 211. It sends a signal to the community that this is our highest priority, kind of like what councilmember kitchen was talking about with regard to the other hotlines that were established but we certainly don't want to send mixed messages out there so we'll work with cpio to ensure

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there's no confusion among the community with regard to 211 and the hot line that's been established. >> Tovo: Great. Thank you. >> Pool: And I'll add my thanks to everybody in the community, sitting here in this room, staff who aren't here but who are working on this, Laurie for sticking around to help us with this in whatever form or fashion works out. I did want to ask chief Manley to come back up so I could clarify a couple of things. As I'm looking at the downtown Austin crime statistics, to compare, I don't know, about a ten month period from 2018 through the first ten months of 2019, and I just wanted to clarify, there is -- about the question of are we seeing an increase in crime. And according to our D tac stats on the city crime viewer, it does show -- this is the online crime viewer,

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it does show an increase but the point you were trying to make was that you cannot attribute this increase in crime to people who may be homeless or who may not be. Is that correct? The questions that you were being asked had to do with whether people who are experiencing homelessness had committed these crimes. >> That's correct. That was the question I was answering. Crime in the dtac area sup. Violent crime sup 15% year to date and property crime up 18% year to date in the downtown

area, but I was referencing specifically what we contribute to individuals that are in the homeless community and that's the data we're still trying to pull together. >> Pool: Right. So does somebody have a website for people who can -- or do they just put in there dtac crime viewer and it can pull up on our website? >> I think if you go to the crime viewer you can pick by sector of Austin so you can get a sense of that. >> Pool: Okay, great. I appreciate that. And I think it is important for us to have real clarity and simplicity, frankly, in

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the rules that we have promulgated, the ones we've loosened, how we haven't loosened them, our rules on standards of conduct and what's appropriate behavior in our community haven't changed. I wish we had been able to mount this robust response six months before we loosened the ordinances because what we're doing now is responding to some things and making it harder for us to clarify what is appropriate, what is not okay, what is legal, what is not, without having done what I think would have been robust work in advance. Be that as it may, I'm committed. I've told anybody who is asking, my constituency and throughout the city, that I'm determined to conduct myself diligently to try to resolve these concerns, and that includes perceptions of the community about whether they are safe or not. If you don't feel safe, if you perceive that you're not safe, then you will act in

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ways that may make you look more vulnerable, for example. Just like when we were working on the immigration issue and we were encouraging our community to trust the police and not to be afraid and that they were safe, I think that's the same issue that we need to be -- that's the same level of concern for everybody who is involved that we should be demonstrating here. As I have said a number of times before, we are responsible for the health and safety of everybody in the city. That's the city's primary mission. The police department does a very good job of that, in my opinion. Just as in the state, their responsibility is to make sure that everybody in the state is safe and healthy and look out for their welfare. So I'm looking forward to us all coming together to work together to address these -- this is probably the biggest challenge that we've had in

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the five years that I've been on council. I feel like we're pretty well prepared to take on all of the strands that are confronting us. We will do it better if we do it in concert and if we are all aligned and everybody on either side or -- 360 degrees on that question. So thank you, chief, for coming up to clarify that particular item. That's all I have at this point. >> Casar: Chief, before you go. Chief, thank you for clarifying the information on -- that we don't have data that shows increased property crime or

increased violent crime as is associated with the ordinances. In fact we didn't change any laws related to property crime or violent crime. Thank you to director Hayden

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for addressing the fact we didn't change anything related to public health rules and we're actually connecting with more folks to help them with their health. Chief, two other issues, increased interactions and then a feeling of fear amongst some folks. So I wanted to ask you questions about those two topics. I think first it's important to really be clear about something that you mentioned to the mayor. I know you think this, I know it's our department's position, but I think it's important to make clear for folks it's the city's position and police department's position that just because someone is a person experiencing homelessness we do have any information and we don't believe that inherently makes you a dangerous person compared to anybody else. >> Absolutely. >> Casar: So while we know there are increased -- or a sense our data shows there's increased interactions between folks that are housed and folks that are unhoused, is it the police department's job, in your view, to -- if there is no

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danger that anybody can see and no crime that anybody can see to reduce interactions between different kind of people? >> No. We respond to calls for service in those circumstances. Our role is not to choose who chooses to interact with or without others. >> Casar: And so we know that folks experiencing homelessness as a class or people that are housed as a class or any other class of person isn't dangerous in and of themselves just because they're in that category so we know that people that are different might be interacting more now and we all see there's more interactions but it is not in our view the city's job to keep people from interacting, it is the police department's job to respond to calls and when there's a danger to respond to that danger. I guess what -- what I would hope and advise on that front when we see there are more interactions now between different kinds of people we also add and say but we don't believe that it's the place of criminal law or the police department's job or the city's job to reduce those

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interactions with people because that's what I'm getting here. Is that right. >> As long as they're abiding by the law and the ordinances, no, there's no reason for us to intercede. >> Casar: Right. And we don't have data there are increased violent interactions between people, which we would intercede during. We see there's increased interactions but we don't believe it's the city's job to reduce interactions between people. Is that right. >> Correct. >> Casar: Then on the issue of people feeling afraid, all of us here on council, many of you all have talked with lots of different people with different feelings. I've

gone and met with groups of constituents, 50 different folks at a meeting with 50 different opinions, and that's really important to, you know, understand where every person is coming from and I appreciate that your officers and all our staff have to also have those conversations. But it is my understanding that there's a concern at the police department about our own staff spreading information that is misleading and that can

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cause unnecessary fear. Is that right? >> Can you restate that question? >> Casar: That there's a concern at the police department that there has been a concern at the police department about our own staff spreading information that is misleading and could cause unnecessary fear. >> I think we've put out training bulletins making sure that our officers are really taught early on about the changes in the ordinances, that they were talking about the changes in the ordinances and not their opinions about the changes, and so we took steps to make sure that we were putting out accurate information. >> Casar: Great, yeah. Because there was, as we knew, multiple emails and messages, including one reported that said from chief Smith please remind officers it's unprofessional to tell concerned citizens to watch Seattle is dying and that we're in the beginning stages, inferring we can't do anything with dangerous people is misleading and causes unnecessary fear. It's my understanding that within the department that was a concern, at least as of two and a half months ago when those messages were being sent out. Is that right?

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>> Yes, we had heard incidences where commented were made at community meetings and we wanted to reinforce to officers when we're speaking with the community what our role is. >> Casar: In the last two and a half months have we taken steps we as say city are not, in the chief's words, inferring that we can't do anything with dangerous people and not do anything that's misleading or causes unnecessary fear? >> I think the message was received by the department when we put out that direction two months ago. >> Casar: Great. Thank you. And so I just think that it's really important that the key -- some of the key takeaways for me from this is that we don't have data that there is increased property crime, there's no data there's increased violent crime associated with the changes. In fact we didn't change any of those laws. It's not our job to reduce interactions between different kinds of people and in fact we believe that people experiencing homelessness and folks that are housed aren't dangerous in and of themselves, we're not trying to separate people from another. It's not our job or the

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law's job to keep people from interacting and that, finally, we are working together to actually address the problem. I appreciate your working putting out the bulletins, putting out that information, our health director and public works job to actually address people's root concerns and so on the increased fear and I echo councilmember pool's comments that we need to keep on making sure that folks understand the facts of what is out there, that it's not our job to reduce interactions but it is our job and we continue to being committed to keeping the city clean and safe. Thank you. >> Flannigan: Thank you, all, for all your hard work. This is a difficult problem, and I have a lot of thoughts about it. I'm going to try to be brief. The encampment strategy, Laurie, you talked about short-term verse long-term. One of my concerns is that we will spend too much of our resources on short-term

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fixes but not really focusing on the long-term so it might feel good for a couple months but six to 12 months from now we're not as better off as we could have been. Can you talk a little bit about how we're trying to balance kind of the long-term solution versus short-term solution? >> One of the great opportunities about piloting this encampment strategy is that we'll be able to see where we do need more resources, maybe where we're overresourced, and where we know that we needed something new into the system. And so there is a great opportunity with the current resources that we have from the providers who are partnering with the city on this strategy. For me to actually see it on the ground working or not working. If it's efficient, if it's not efficient. If it's effective, if it's not effective, and where. And based upon that, I'll be able to come back and talk about the longer-term strategy and where those investments could happen, which then would actually lead to the fuller, more

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robust crisis response system and housing stabilization, which, again, are the two things that need to happen for us to prevent and end homelessness. So while there is a lot of energy and effort that's being put on that front end and really kind of putting it together very quickly, I do see a lot of value in putting together that short-term strategy because it's going to lead us to the path that we need to be on and hopefully provide the results that we're intending it to have, at least in this piloted program. >> Flannigan: That's good to know. As I have been pretty vocal even before you arrived, I think it's really important that we trust you in this work and that we not micromanage the solution. It is complex and it's going to take a lot of community partners at the table, even outside the city. I've heard some reports from other service providers that councilmembers or their staffs are showing up to meetings they weren't invited to or that they're

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mucking around in the work of staff, and I really want to caution my colleagues to try to avoid that. I don't think it's helpful. In fact it harms the work because we all know how a conversation changes when we're in the room, especially with folks who are receiving money from the city, like service providers. I don't think that's helpful. I think it really disrupts the work, and so I hope we're not sending our staffs or ourselves into these meetings, just as we wouldn't show up at a house fire and pick up a hose and start telling the fire department how to put out a fire, I don't think we should be doing that with this work either. I think, Mary, you had a good point about the amount of resources allocated in other cities from higher levels of government. I just want to repeat those numbers again because I think they're really important, and I don't know who has, like, the one level of detail about where those dollars come from, what category of monies those are. It might be good to put that out in a report to say Houston gets 20-40000000

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from community block grants, Dallas gets 20 to 40, we only get four, here's the detail because we really do need our partners up the food chain to help us solve this problem. I also think it's -- I think it's a little silly to start pointing to work staff is doing and pointing back to resolutions when it's putting stuff on a website. I don't think it required council resolution and I don't think it's fair to say the only work staff will do is the work we stick in a resolution. I don't want us to go down that path because I don't think that's how we'll solve this problem. It's really unfortunate that some of my colleagues feel that's how this work will get done. I think that's how our work will fail. We need to trust our experts on this solution. On the perceived safety question, I have another question for the chief if you want to make your way

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back up to the microphone. I think there's a big difference between members of the community feeling safe in the context of seeing poverty versus the feeling some parts of the community have about their safety with institutions. So the perception of safety, interacting with the police department, I don't have to go into what that means, that is a very different thing than driving by a homeless camp and seeing -- and feeling that that is a level of safety. I don't think we should be mixing those messages. Chief, you brought up this assault that happened recently. I was unfamiliar with it. I looked it up. It appears that based on what the union posted that the assailant in this case is a known criminal, has a long criminal history with this person, he's known to the police department. What is the solution to those folks? What is -- I mean, whether or not there's a camping ban doesn't change the fact that this guy has been in the community for a long time and racked up a long

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criminal history. The association is trying to make a connection between that camping ban and the actions of this person. It doesn't seem right to me. >> I guess -- and respectfully I think that question may be geared toward the police association. What I would tell you my understanding of that was as described a rather violent assault, I believe three guests in our community from Georgia and they -- a bystander actually intervened to assist them and got seriously injured himself. >> Flannigan: But when there's someone in the community who has a criminal history, who is known to the department, it seems unusual to the public to think that we're -- that there's nothing that can be done about that, regardless of camping ordinances, regardless of other ordinances, here's someone with a criminal history walking around the community. What is the public safety response to this type of situation? >> Well, they've paid their debt to society and they're -- even if they're on parole or probation if

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they're abiding by the terms of their parole or probation as a police department that's all we do, you know? If we know that we have an offender recently released from jail and we know what their method of operation was as far as how they committed crimes and all of a sudden we see relevant crimes start to be committed in an area where they are, yeah, we might pay attention to them since that's something new. But as far as once they are released from either jail or whether they're under community supervision, we -- that doesn't give us additional authority to take any action against them. Like we ban the box for job applications. If they've paid their debt they've paid their debt but we maintain an awareness of where they are and, again, if they -- we see relevant crime that we think could be related to them then we'll get involved. >> Flannigan: Thank you, chief. I think it's really important for the public to understand this. I think it's really important for us as councilmembers and for those

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who have a responsibility to protect public safety to not continue to incite fear and use the fear they've incited as an excuse to attack the work of our staff. That is happening, and I don't think it's what we want to be happening. The perception of safety is something that we create, not because of crime but because of how we talk about our community. And for those who are in the community who are inciting that fear, they have the responsibility -- they hold the responsibility for cause ago people to feel unsafe. And I don't think that's a good practice for any person on the city payroll at any level to be inciting fear in our community. If outside activists want to do that that is their first amendment right but I don't think on the city taxpayer staff that we should be allowing that to happen. I think that's really unfair. Last thing I want to say -- sorry. The last thing I want to say --

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>> I did not say your name. You can step back. >> Mayor Adler: If someone wants to call you up, but you can't volunteer to come up and talk. >> [Off mic] >> Mayor Adler: Thanks. >> Flannigan: The hotline is a really interesting question because I'll tell a short anecdote and then I'll be finished. There was a man experiencing homelessness in my district. He started camping in Avery ranch, which is the farthest corner of the city of Austin, literally the farthest point out. There was some hand ringing about that in the community. An elected official who doesn't work out of this building decided to take it upon himself to go and pull out a cell phone and video this person as he walked up to them, tried to make a spectacle out of it, ended up giving this man \$200. The -- this gentleman then feeling like he had just been paid to leave decided instead to go to that elected official's office in Williamson county to give the money back.

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Because that's not how you solve homelessness. In fact, this person is a veteran. A marine veteran. And when he reached out to the veterans administration was told that he couldn't get housing for him and his partner, his transgender partner. The reason he's camping in Avery ranch is because he has a job there. He has a job in that area. And there's not great public transportation, so it's not like he can really camp further away and get to that job. So our office's response was to call our staff, our veterans office staff, and they have housed him, they have gotten him connected to services, they are helping him work, the veterans administration, to make sure he's getting the right services that they need. This is how you solve the problem. This is how our staff is saying they're going to solve the problem. And it's not going to happen because of grand standing. It's not going to happen because we've incited fear in our community. It's not going to happen because we passed a thousand

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resolutions. It's going to happen because we helped people and I hope we will all trust Laurie and the work of our staff to help people. >> Mayor Adler: Hang on a second. Kathie, she wants to respond to that. >> Tovo: Yeah, councilmember Flannigan, you have repeatedly now called out the fact that several of us on council have passed resolutions as part of the problem. And I just -- I find it -- the way in which you continue to seem to need to diminish the work of your colleagues is just unacceptable. There have been several very important initiatives that have been started by a resolution. You may disagree. You're certainly entitled to that. You're entitled to never bring forward any resolutions related to this area. That's your prerogative. But please don't diminish the work several of us and many of you have supported on this council. It's just disrespectful and I've had enough. >> Flannigan: I will continue to diminish your work. >> Tovo: I'm sure you will. And I will call you out --

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[overlapping speakers] It needs to stop. It needs to stop. And I would be happy to provide you with a list of the important initiatives -- >> Flannigan: I've seen that. They have failed. >> Mayor Adler: Wait.

[Overlapping speakers] >> Flannigan: Where are the bathrooms? >> Mayor Adler: Kathie, Kathie, Jimmy, guys -- [overlapping speakers] >> Tovo: About the fact we don't have portable restrooms than me. I have talked about it consistently, I funded it through my office budget. I don't get to implement the policy. That is the staff's job. >> Mayor Adler: Hey, so my assessment of this is that different people on this dais work in different ways. And to the degree that anyone on this dais suggests people who are doing resolutions are more responsible or people who are not doing resolutions are more responsible isn't fair because both of them can be heard to demean the work and effort of the other person. Both of them can be heard as being demeaning that work.

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And that's what's happening here. The work people do through resolutions is great. That's not the reason why that happens. The work you do outside of it is separate from the work through resolutions. Everybody initiatives work really hard and people have their way to be able to do it doesn't mean other people aren't doing work whichever way it is that they do that. Yes. >> Tovo: Mayor, I'd just say there is a distinction -- I have not heard any one of my colleagues come in here and say if you haven't sponsored a resolution your part -- you're helping create the challenge we have here in Austin. I have heard a particular colleague, councilmember Flannigan, multiple times now, suggest that the resolutions that have been sponsored are ineffective or, as he said today, have actually helped create the problem or have failed. It's just not accurate and

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it just needs to be called out and it's disrespectful and discourteous and I think in the midst of an extremely challenging public conversation we ought to be more respectful to one another. And so, yeah, when I see an initiative moving forward that one of my colleagues has been involved in I'm gonna call it out because I think this community needs to understand that this is a council that is committed to ending homelessness, that we have worked hard on it together, and that there have been some initiatives that have moved forward. We talked about that at the last meeting too. The work program that lots of members of our community are talking about was started by a council initiative. The staff have done a great job of building it out and implementing it but it was a council initiative and the colleagues who helped support that -- and I was not one of that group so I'm -- praising the colleagues who provided leadership on that should be recognized for that work. >> Mayor Adler: I'm sorry. But it -- and that's true. >> Tovo: I'm not -- >> Mayor Adler: There are lots of things happening in the city that are not -- the

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veterans homelessness initiative wasn't something that was initiated by council. And calling out the success that people have is great. Sometimes it's heard as diminishing that. What you said sounded like you were diminishing the work of the resolutions and that's not fair either. Because the resolution work is also important. I'm just saying that there are lots of different ways to do this and people are doing it lots of different ways. Everybody on this council is working really hard and everybody deserves credit for the things that we're doing. That's all I'm saying. They both have value. Pio. >> Renteria: Thank you, mayor I know this is a very tough choice, these decisions that we're making. It's not no one's fault. People get excited. We put together a coalition in 1989, east side

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neighbors, homeless people -- homeless supporters and the downtown chamber to pass a bond election to pass a affordable housing issue that we were facing at that time and it failed because the community said we didn't have a homeless problem at that time. And then in the mid '90s they came back and outlawed camping, panhandling, telling people to send them -- give them a one-way ticket to San Antonio, Houston, Dallas. These are the kind of -- that we have faced here in the past in Austin. You know, and we final got a council here that is compassionate and is looking for a solution to fix this problem that we have been dealing with for over 30 years. Probably even longer than that. But since I've been involved. And, you know, that's why I joined the community development commission. I did 13 years there because

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I wanted to -- I knew the solution to our homeless problems is housing. If we do not have housing then we're not gonna solve the solution. We're gonna have camping out there. We're gonna have people living -- even in January I went with a tour with the Austin police department and we went to Riverside in one of the bridge there, in one of the drainage tunnels, I seen the conditions. There was drug dealing going on. There was prostitution going on in there. There was trash all over the creek, all in the gutters, everything. It was just -- it was deplorable, you know? Yes, there's -- it's a society, we're gonna have those people that are always taking advantage of the unfortunate, you know? It doesn't matter what level of income or where you live at. There's always gonna be that group that takes advantage of people. I see it all the time. You know?

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I grew up here in Austin. I know some of the common criminals that we have here that pick up people that are at the arch and take them out to the corners to beg for panhandling money on the corners of the streets and then gives them drugs and takes their money away from them, and these are all people with mental illness that are suffering out there. They have a demon on their back that they could not shake off and they're out there. They need our help. I talk to the people. I take my lunches, sometimes there's some food left over there, and I take them and drop them off to the people over there that hangs out. I know three personal people that are homeless out there. I tell them, I say, let me know when I can help you. I can try to get you into housing. And they say that they're not ready yet. You know, they've been out there. I know that once we -- they've been out there longer than two years. They're the hardest people to get off the street. Are they criminals? No. They just want to be left

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alone. But then there's always those other ones who take advantage of the people that, you know, the state didn't -- you know, closed all their facilities for mental health and said that they were gonna make sure that they had their medication and then they cut the funding off on that and gave the responsibility to the city. And now we're having to deal with that. But I'm so proud that we have so many people in this city that have gone out and worked so hard to help our people that -- this is a handout I give out to the homeless people. It was put together by house the homeless, and this is what I give them. I say, listen, call these groups. They're there to help you out. And that's what we need to do. We need to just focus on helping these people get off the street and deal with the criminal elements that are out there because, yes, they're out there and

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they'll take advantage of any opportunity they can. >> Mayor Adler: Okay. Ann. >> Kitchen: Excuse me. So it might be time to pivot to talking about the items in front of us so I leave that up to you, mayor, but -- >> Mayor Adler: Some people haven't had a chance to speak yet. >> Kitchen: I didn't see any others. That's fine. We'll wait on that. I want to have one quick -- couple of quick comments and I just think are important to say. I wanted to add another perspective that I'm not sure we've spoken to. You started to, mayor, but I want to reiterate that perspective. And that's the perspective that part -- a major thing that we're struggling with as a policy issue and also as a resource issue is that how we inclusively manage shared space. So when we talk about safety and when I talk about safety, I'm talking about the places where it's safe for people to camp or not camp. And that's out of respect

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and concern for people who are homeless. And so I think that that's part of our responsibility but from a -- both from a policy perspective to make those kinds of decisions. And I've heard people say -- and I don't -- I'm not discounting it, but I'm just saying it's one piece of the picture. I've heard people say that our community is not comfortable seeing poverty. So I want to say the other part of that picture because that's only one piece of the picture perhaps for some people. But I don't want to leave the impression that we as a council think that people are only responding because they're not comfortable seeing poverty. People are responding for a range of reasons, and people that I talk to are talking about their concern for people who are homeless. And they're talking about the safety of people staying in places that they feel are not safe. As well as the other kinds of things that we're hearing

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around concerns about trash and cleanliness and public health. So I mention that only to say -- not to discount what anyone else is seeing or hearing or saying. But just to present that other perspective, because I think that's important for the public to hear, that we are hearing their concerns also. So I wanted to say that. I also wanted to say that I think it's real important -- it's just we just -- all of us have to not attribute motives to each other, not hear what people are saying in a way that perhaps they didn't mean, and this is very hard for people. It's because we care. We all care. So I just ask that we -- that we not make allegations about people, that if we have concerns or we think that people are saying something that perhaps we hear one way and that's not

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what they meant that, we talk to them off-line. So, councilmember Flannigan, because you said this publicly all I'm gonna do is note it, and you and I can talk about it later, but I would like to note the fact that what I heard -- and I don't know if you meant this, but I heard that you talked about your reports that councilmembers were interfering with staff, that we were -- and I think the analogy was, you know, going to a fire and putting out the fire with a fire hose. So I'm not going to say everything I think about that because that would not be a pretty conversation. I'm just going to say that I hope you didn't mean that and I'm happy to talk with you off-line about it. So -- so I just thought it was important and felt like I needed to say those things. >> Mayor Adler: Sounds like a good idea. Alison. >> Alter: I have some questions for staff. I appreciate the emphasis and the need for us to have data and facts as we're approaching things, and

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there's some information that I would like additional information on. And I'm not exactly sure who to direct these questions. So there have been some statements made by governor Abbott about levels of

support from the state that are coming to the city, I believe, and I wasn't able to find where I saw it but there was a comment I believe of some \$4 million that was coming from the state. Can you tell us what money we are getting from the state to support our homelessness efforts? >> Absolutely. I might rely on either Stephanie or Rebecca to help with that information. And we are certainly glad to provide that as a follow-up response to council. But we did read that article as well, where the governor had alluded to \$4 million coming to the city, but we can provide that in a written response, unless we -- unless you want to have that information today. >> Alter: Do we have that information today? I would very much >> Alter: Do we have that information today? I thought that was an order of magnitude -- >> We might not have it today.

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>> Alter: 100,000, and 4 million is quite a bit from that. >> Stephanie is going to speak to some information she has, but we probably should follow up with a written response as well. >> Alter: Thank you. And in that written response, if you could also provide us information to what they're providing to some of our comparable cities, to the extent that information is readily available, that would be helpful as well. >> Yes, I think that's what councilmember Flannigan had asked for as well, some sort of comparable analysis, what Austin is receiving versus other cities. >> Alter: I thought he was asking about the federal. I was specifically asking about the state, but -- >> Oh, okay. >> Stephanie Hayden, Austin public health. The health department is receiving funding from the Texas department of community affairs for homeless services. We received an additional \$155,000 this year, which we brought the action to council, and there is now a contract with

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lifeworks. In addition to that, we received an additional -- I mean, it was actually our level funding of about \$500,000, and that is going toward emergency shelter. So between the front steps and Salvation Army is where those services are being provided. >> Alter: What was the first amount before the 500,000? >> 155,000. And that is for youth homeless services. And that's going to lifeworks. >> Alter: So at this point we're talking about 650,000? >> Absolutely. >> Alter: You're going to get us some clarity but that's quite shy of the 4 million number. I could be wrong, that was the number I had in my head, but I saw that same number. >> So the \$4 million that you are referring to are continuum of care funds, and those are federal dollars that come from H.U.D. >> Alter: Okay. >> And so, now, \$4 million, the other \$4 million that's been kind of floating around are \$4 million

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that San Antonio receives for haven for hope, and those are state dollars. >> Alter: Okay. So, actually, San Antonio is receiving \$4 million from the state and we're not. >> We're not. >> Alter: We're not. Okay. Thank you. I appreciate that clarification. I have a question for Ms. Jellow. There was a comment made in your presentation where you suggested that there was money carved out for coordination with hso. Can you clarify what that money is? We had conversations during budget, and there was no such money, so I would like some more clarification. >> Sure. Rebecca, neighborhood housing and community development department. The assertion is that there's funds in the housing trust fund that could be diverted for initiatives as council saw fit and/or through the coordination with the homelessness strategy

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office. >> Alter: So it's the same place where we were at budget where we could always reallocate it but there's no pot of money that is specifically for -- >> Yes, ma'am. >> Alter: -- This. Okay. Thank you. Then I had a question about trash collection. >> We'll ask Ken snipes to come up, who is leading our efforts on cleanup. >> Alter: As I was reading the memo, it suggested there was a lot of work being done, and I brought up at the last council under 183, near great hills and north of there, we're seeing a lot of trash on the side of the road that's not under the underpasses. The last time I looked, the underpasses were actually pretty clean, but the side of the road was not, at all, it was full of garbage, everywhere, and, you know, folks are worried about it coming into the road way, as well as just not being -- it doesn't seem like it was necessarily connected to underpass in that

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area. The last I looked, you had only about one person camping under an underpass at a particular time. So can you speak about plans to get that cleaned up? I know there are jurisdictional issues, but it is contributing to a perception increased trash around. >> Right. Jurisdictional issues being what they are, what we intend to do is increase our services at the frequency of the services. One of the things it does is, particularly with garbage around, the overpasses or wherever it might be, it helps keep things from scattering and blowing around so we hope that will be a strategy that resolves that issue. But if there are issues where it's the responsibility of the city of Austin, then we'll take care of that. And I think with respect to anything that would belong to the department of transportation, we'll have to connect with them to coordinate their efforts to clean up those areas as well. >> Alter: Okay. I'd really appreciate it, if it is not the city of Austin, that

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you could connect up with, because we have an area that doesn't have underpasses that are dirty that has the road completely dirty, even if you go clean up underpasses elsewhere, I'm not sure how you get there, all I know is empirically, that's what I have seen, and I would like it addressed by the appropriate jurisdiction, however that happens. >> Can you state the location again? >> Alter: So 183, basically from 360 north, particularly, you know, if you're getting onto one at great hills, but that area along the road there has a lot of garbage. We tried to address it with various folks, but the jurisdictional issues have been complicated, so we appreciate some help with that. Okay. Then I would like some more clarity on what staff is planning to do about the structures in the

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areas where folks are camping, whether it's encampments or elsewhere. One of the concerns that I hear is about the lack of sanitation involved with having a mattress, having the sofa, just discomfort with structures that are being built in the public right-of-way, which is very different than someone spending the night there. It's -- it has a very different space. You're hearing about folks who are essentially building out rooms in the public right-of-way. I don't know what the right answer is, but I would like to know what staff's approach is to these situations. >> Absolutely. We might have to come back, too, because we talked about the updated bulletins, what those structures are, how they might endanger the public health, but it certainly would have to be in concert with our cleanup crew as well since A.P.D. Of course doesn't have the resources to clean these items up. But I think we'd have to talk about first whether or not there

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was an enforcement issue and then following that, then what is the cleanup for those spaces. >> Flannigan: And, councilmember, to be clear, the training bulletins that the chief put out are really about outdoor furniture and mattresses, clarification around those. As we're getting more information, we're going to be assessing if there's additional guidance we're asking about these structures, if they're deemed unsafe but we continue to assess that situation. >> Councilmember, if I may, at least in terms to the current pilot of the encampment strategy, we are planning for storage for those that were able to refer immediately into appropriate services or housing. Additionally, we are creating a cleanup and some accessible big, giant trash receptors for those who wish to discard those tents after we are able to refer them to appropriate services. So I can only speak about the

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encampment strategy that we're working on. >> Alter: Thank you. Did you want to -- >> I'll be brief. What we're putting out is the direction that the mattresses themselves and upholstered furniture meant

for indoor are not safe to be outdoor door, they pose a health hazard, and we're working to put together a plan for how we will go. And it will be part of the routine scheduled cleanups we're doing but we're also looking at whether we will do anything beyond that on an initial sweep. So that's part of the strategy that's being developed right now but what we were doing with that bulletin was giving the officers the direction that these are the steps we were taking. Some of them were immediate steps. Some of them will involve others like watershed protection when we're looking at nos areas around waterways prone to flooding and what that safe distance is. >> Alter: Thank you. And, chief, while I have you up, can you he will the us when you up -- can you tell us when you think you'll have the data from September? What I heard is you didn't have data to show the trends in crime and sources, we just don't have the data yet. When do you expect -- I don't know what the timeline is for

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that kind of data. >> Sure. I have quarterly data right now from -- I believe it's July through September and what I'm doing now is having a team put together that same period from last year so that we can compare and see what -- what assessments we can make of that data. Shooting from the end of this week, but with the understanding that it is difficult data because there's not one box that we check on a report that says an individual is housed or unhoused. What we have to do is we have to look in the address field, and officers may actually list homeless. They may list transient. But then we also search specific addresses, the address of the arch, the address of the Salvation Army and other shelters so that we're trying to pull together the most representative data we have of individuals that are experiencing homelessness that we have had reports on. So it's not as easy as just clicking a few buttons and producing a report. That's why it's taking a little while. But I have received the data for the three-month period of this year, I'm currently going through that myself and I'm working with

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a team to have them put together for the same time last year. >> Alter: Thank you. Don't go anywhere, I might have another question. I have another question for Laurie, again on this data issue, we've had conversations where I've expressed frustration, not feeling I, as -- a policymaker, have the best date I need. And you've expressed you don't yet the data or the information. Can you tell us what data we need to have that would help us with our next steps? Even if we don't have the data, can you help us understand what data we're missing or what data we have that is telling? >> So, we -- yeah, so there's a level of frustration that I'm not able to quickly say -- to be able to provide you with data that you need or even for me to be able to provide the recommendations that you need. What type of data you need depends on what part of the crisis response system or housing stabilization we're talking about. What I can say is when it comes to this community, we do not have

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one specific source where we can go get data. And that's because of the limitations that -- well, because -- so echo, who is our lead agency for our community's response and vehicle to act out on our need to prevent and end homelessness, which is a mandate by H.U.D. And the federal government that we have, which we have chosen to be our vehicle, along with Travis county, they have something called the homeless management information system, his. And my role in working with communities is I have always said, if it didn't happen in his, it didn't happen. And that goes back to making sure that the providers find value and then entering information into his. Right now, we have scattered value among all the agencies, and being able to input the data into his, and us get data back.

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If I go and ask can I have this data point, they can say we can only give you based on these providers giving it, but we have providers across the entire response system and housing stabilization system that aren't providing data that we need for a full glimpse. So one of the things that staff here has begun to talk about is, you know, as we're working on contracts -- and I believe it already is happening is that we want to begin -- anybody who is partnering with the city on preventing or ending homelessness, making it a requirement for them to be trained in his and utilize his because that is where we should also be receiving data. Again, the data points that you need would be based upon the questions, so if you're asking emergency shelter, what's the through-put, how long does someone stay in a crisis bed, how long does it take for someone to get permanently housed, how long does it take someone to get into a rapid rehousing, those are all

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different data points that we should be able to get from hmis. Right now it's there but I don't have a lot of trust that is the quality for you to be able to make the decisions that you make yet, so I'm hoping to be able to -- right now -- utilize what his has, but also the great information and data that housing has also been able to collect and merge that information together. But in the future, his, again, is the true source of information and data that our community should be seeking out. >> Alter: Thank you. Did you want to add something? >> Thank you. Good morning, council. Councilmembers. I'm director for transportation department. A question was raised earlier about public property and the right-of-way. We do have -- in the transportation department, we manage the right-of-way and we have concerns for public property being in a right-of-way from a building and safety issue, and do also have means to have that removed. Citizens or anyone concerned can call 311. That will come to us.

[11:14:04 AM]

We will investigate, and if it's a property that should not be there, we'll have it removed. >> Alter: Thank you. So you're going back to my earlier question about the structures and providing additional information, call 311, if it's a mobility issue and impairing mobility, it can be removed. >> That is correct. >> Alter: Okay. Thank you. I appreciate that. Then my last question is for chief Manley. I appreciate the work that went into the training bulletins and the way that was approached. As I understand it, and I didn't have a chance to watch the press conference personally, but in the reports of it, there were statements that suggested that you thought we should go back to the pre-june ordinance. And I just wanted to broadly give you an opportunity to share concerns that you might have over the existing policy and things that we should be thinking about as we approach our items as we transition into the next section

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so that we can hear directly from you about concerns that you're having that may be on any element of it, of what your officers are experiencing in order to maintain public health and safety, but also, you know, help us to address homelessness in a humane way. >> Well, briefly, councilmember, I've spoken a lot about the efforts that we're making to maintain just kind of the public order and the public sense of safety, whether it's actual safety or perceived safety while we work through all of this complex issue of housing our homeless community. And the questions were about approaches to that, and, yes, as the public safety lead for this city, as the police chief, I suggested the ordinances in place allowed us to at least handle the complaints as they came in. They were definitely not solving

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the homeless issue but they were allowing us to handle those calls as they came in, and then there were also discussions about the difficulty of enforcing distance-measured requirements, whether it's five feet, eight feet. And so that was why the recommendation for banning all of this behavior on all sidewalks, whether it be the sitting, camping, or lying down, because that, in and of itself, as under the previous rules, was the violation. It's easily understood, it's easily enforced, and it maintains our sidewalks for what they were intended for, public passageway. That was the recommendations. I absolutely understand that is not likely the direction we will go, and we stand ready to work with whatever changes to the ordinance may be made this week or in weeks to come, or working with the ordinances as they are now, that's why I issued those training bulletins to give direction to the officers how to work under the ordinances we currently have. >> Alter: And then we've talked a

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little bit about downtown and other areas. Can you speak a little bit to west campus? I'm getting emails from parents around the country who are concerned about their U.T. Students, and this may be based on media and not true, but can you -- that perception is out there, nonetheless. Can you speak a little bit to what is going on in west campus and any issues that should be rising to our concern? >> Sure. And so we get a lot of the same emails. They do come to us, and I think the ordinances as they are now with the direction that I have put out for the department, specifically that public passageways, I.e. Sidewalks, have to have a passible distance for wheelchairs, I think that's going to address any conduct that's taking place on any of the sidewalks through the campus or west campus. The issues on campus and west campus have been longstanding. And I know that as there have been in the downtown area, there have been incidences that have been highlighted on both media and social media.

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We have had like incidents occur in the campus and west campus area as well. So we continue our partnership with the university of Texas police department. We continue our patrols in campus and west campus. And we are, again, enforcing the ordinances and state law as appropriate in that area as we are attempting to do throughout the whole city. >> Alter: Thank you. >> Mayor Adler: I have a quick follow-up question. The questions came up about structures -- not U.T., that's okay -- about structures. We're contemplating making changes to the ordinances this week. My hope is that we do provide greater clarity, but then we can pivot from focusing on the ordinances to actually focusing on what's necessary to end homelessness in our city. So if there's a way for us to make the changes that we should make in the ordinances, and not be coming back every two weeks to may go changes in the ordinances, I would like that.

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To that end, as soon as you can, and prior to Thursday, I would really like to have our staff's recommendation on whether or not we should put in something that talks about structures. Should we be limiting structure materials so that things can be moved so that it's easy to clean an area? Should we be talking about the height of structures? Should we be talking about width or volume of structures? Recognizing that we have to have something that's consistent with our policy, which is to say we'd rather have people be safe than be in the woods somewhere, and we're trying to move people out. At the same time, our goal is to not make camping in our city such a comfortable thing to do that it makes it harder for us to move people into homes, not that that's going to happen very often. But I would really like a recommendation as soon as you can give it to us on whether or not we should, in the ordinance change, include something about

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the size or material or nature of structures. Okay? >> All right. >> Mayor Adler: Natasha. >> Harper-madison: Real quick, as it pertains to structures, I've said this before, but I've had conversations with our neighbors experiencing homelessness who have sofas and beds and la-z-boys and tents, and it's been brought to my attention that there are well meaning individuals who are buying tents and distributing them around town. I have not been able to ascertain whether they're doing so out of the kindness of their hearts or they have a personal interest in having the homelessness issue be more visible. I want to attempt to. But I think between people going out purchasing tents and distributing them in our community, and who literally are taking couches and mattresses and sofas and -- to our neighbors experiencing homelessness, I think during the course of this conversation around what the

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future website will have -- I see that there's a bullet here on how I can help. I think the what not to do section could definitely highlight, it is not helpful to take furniture, indoor-intended furniture to neighbors who are camping, and I think this might be a Laurie question, but maybe having people who -- whose intention is benevolence, bringing items to our neighbors experiencing homelessness, maybe give them a more clear picture about how they can actually be helpful. >> Thank you, councilmember. And that's the intention of that particular aspect of the website, is to inform our residents, of course, how they can be helpful, and then the things that, of course, detract from us helping these individuals who are experiencing homelessness. So we specifically intend to use that section to do just that. >> Mayor Adler: Okay. Any further questions on this before we go to the ordinances? >> Kitchen: Just very if I can.

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-- Just very quick. Three items I'd like to highlight for additional information later. One of those is -- I think that it would be helpful -- Laurie had --had described the continuum, I think that's very helpful to understand the through had of put concept and concept of the continuum and how that works in a community. We had that explained. We had some conversations about that when we had the national alliance come speak to us. The visuals of that, if that's available on the website, I think it really helps the community understand. So there's that. Second thing is, the hotline description, we had some conversations about it, if you would share that with my office, and I imagine all offices would want that. It's something I can push out to the community. And then the last thing is, on the cleanup timeline, I can see there's -- there's a suggestion or just an indication that going to once a week, not just twice a week, might be something to work

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towards. I would encourage that, and I would just ask if there are any barriers to doing that or resources that are needed in order to do that, if you would just let us know. >> Sounds good. And mayor and council, as we conclude, we want to thank council for their full support of staff and for the efforts. I know that in the public conversations that I have, I continue to remind our residents that this is the council's highest priority. And I also want to thank the staff, not just the staff here today but staff in the front lines currently working on the issue. At the next work session, we do intend to come forward to council with their partner echo to provide an update on the action plan, the implementation underway. Our recommendation is for prior tying the strategies within the action plan and additional resources that are needed and additional investments. As you've heard me say before this isn't just for the city of Austin to deal with primarily, we have to bring every partner to the table so that way, everyone plays a role and everyone has an

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investment in solving the challenge ahead of us. Thank you, mayor and council. >> Mayor Adler: I appreciate that. Please stay here because now we're talking about the three items so there may be additional questions for all the staff that are present with that. And even before the work session, since we have three items that are coming up, I suspect that we'll all be hearing from you and the others on Thursday when we have our regular council meeting, and most of the public is watching on this issue. >> [Off mic] >> Mayor Adler: That's okay. >> Kitchen: May I lay out the ordinance? >> Mayor Adler: Yes. Councilmember kitchen. >> Kitchen: For everyone -- >> Mayor Adler: I'm going to call up all the three homeless items that have been pulled on the agenda. >> Kitchen: Sure. I will just briefly it out. >> Mayor Adler: No, no go ahead. >> Kitchen: What I provided to everyone is a copy of the ordinance that we posted on Saturday, I believe, and that's a little bit revised from what's in the backup, although this one will be in backup, too. And then I also passed out a

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summary of the proposed ordinance, thinking that that might be helpful for people to see. So, two -- I want to name a few quick things that we are trying to achieve with this ordinance and that the proposed language is -- we are attempting to achieve with the proposed language. So and would welcome my feedback or conversations about whether we hit the mark. I understand there may be disagreement on whether something we're trying to achieve is shared by everyone, and I respect and understand that, but I'd like to understand if there are changes that people would like to see made. So, the first thing is, the reason that we are bringing this forward, and I want to thank my co-sponsors, tovo, alter, and pool, we believe we have a responsibilities to ensure the health and safety to all members

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of the community, whether they're housed or experiencing homelessness, so safety is viewed from all those perspectives. The ordinance itself is proposing to clarify the standards that we put in place in June. So it's clarifying places that are not allowed to be -- that are unsafe places where camping should not be allowed because they pose risk to public health and safety. I'm not going to read the whole list, but just in general, these are the kinds of places that you saw, and in fact there's nothing in addition to what we were looking at when we had our conversation in our special called meetings. And those are sidewalks, right-of-way along certain named streets with high pedestrian or car traffic, sloped areas around emergency shelters, camping in culverts, creeks, river beds and high fire risk areas, also pose

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health and safety risk. You will notice that we have also included for clarity areas that are prohibited under other laws and rules, like parking -- like parks. So it's clear that those are existing places where camping is not allowed. So we just think it's important. We think that the community is asking for clarity on these ordinances. What we are proposing is consistent with the recommendations from the city manager that we received in August and is consistent with the police department training guidelines, but provides additional levels of security. So I just think that -- I really think that it's important that we provide this clarity. It's important for health and safety. It's important to address as the mayor mentioned earlier how we use shared spaces in our city.

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And then the last thing I would highlight for everyone is, I share and we share the concerns about criminalization. We are not attempting to recriminalize, and I do not think that this does this. This clarifies places within the existing ordinance that was passed in June where it's not safe to camp, as well as areas with regard to the sit/lie ordinance. But we have also put additional provisions -- or we're proposing additional provisions that support non-criminal enforcement measures. We have included a four-step process that involves our social -- our social service, as well as our health care community. It includes vocation, helping folks move to a place that is not prohibited, as well as a warning mechanism so that there's no citation for the first time

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someone might receive a notification that they're in a place that's restricted. So I think that we have struck an appropriate balance, and we offer that for consideration, and I hope my colleagues will help us

in moving forward. I think it's important that we address this issue, we move past -- we help our community move past what has been a divisive issue in the community, so that we can all focus our energies on our shared goals of connecting people to housing. And so I have presented this proposal with my colleagues, and, mayor, I'd ask if any one of them have anything they would like to add about this ordinance. >> Mayor Adler: Leslie? >> Pool: Thanks, Ann, for laying that out and for your hard work on pulling together the ordinance and also to Kathie.

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I appreciate working with you on the ordinance, and Alison as well. I just want -- the summary that shows the proposed ordinance with the clarification so it's very clear for everybody where the changes are and what remains the same and what the status will be with passage of this ordinance. And then I will just reiterate that I think it's incredibly important for us to provide clarity at a simple process so that all of the residents of the city of Austin understand what is expected and what they can and cannot do. >> Mayor Adler: Anyone else? Okay. Councilmember Casar? >> Kitchen: I think we were going to lay out the resolutions? >> Mayor Adler: Okay. >> Kitchen: First? And then we'll have conversations. >> Mayor Adler: Okay. >> Kitchen: So that would be councilmember tovo's --

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>> Mayor Adler: Kathie? You want to do that? >> Tovo: Sure. So this is, in essence, very similar to what's been posted on the message board for, I don't know, a month and a half, and then came forward at the special called meeting. We did make some adjustments to it just to clarify certain things and have taken out some elements that -- that we deem no longer necessary. I think it's really critical, I think I would say as an overall statement, I think the resolution is really critical to making sure that we're going to have the resources that we, as councilmembers, allocate the resources we need to make the non-criminal enforcement plan actionable. As we've talked about in this setting and in others, a few years ago, when we had the encampment response strategy, that we didn't call it that outside the arch. There were some successful outcomes, but we never, as a city, really committed the resources we needed for those -- for those kind of longer-term sustainable solutions. And so my hope is that with regard to the direction to the manager to identify -- to move

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forward with the encampment response strategy, which, you know, as we've heard, is certainly something that the staff have already prioritized, but that we, as council, are very cognizant of the amount of resources that are going to be necessary to make that successful, that we are allocating the appropriate resources to outreach teams, the dak has provided us with a proposal that I think really

bears looking at and our resolution directs the manager to look at that and come back with some recommendations, but that we are also, again, making sure we're committing the resources necessary, from outreach, to shelter, to bridge, to permanent housing, to make sure we can as a community sustain non-criminal enforcement of this measure. And I'd be happy to talk about some of the other elements of the resolution, but I think that's the most critical one. >> Mayor Adler: Okay. I put another resolution on the agenda. I'll preface it by saying I think the most important thing we can

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do this week is to pass the ordinance, make any changes to it, so that we can stop the debate in the community about ordinances. And I would put everything else secondary to that. I tried to put a resolution out there. It's something that doesn't look like it would pass consent or without significance discussion. That's probably something I would pull down because again, I don't want us to of conversations on Thursday that really detract from having the ordinance pad. Ordinance passed. I think for me that's what the focus is going to be all on. This particular resolution is trying, as best it can, not to be prescriptive but to ask staff to weigh in. Quite frankly, I'm not sure there's anything in this resolution that's not already in front of staff. Perhaps multiple times. But I think that there is some frustration that things are not moving forward with the -- with -- as quickly or as fast or

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with the priority that I think is being felt in the community. But anything in there, it's trying to be really non-prescriptive. There's sections that asked staff to look at the -- with transportation, what are the most dangerous places relative to cars, recognizing that all of them are dangerous, what are the most dangerous, in case they can provide direction to the transportation department or to the chief, work I think that could happen without a resolution, but certainly we could have a resolution. Doesn't prescribe where they would be or not be, but looking at that, looking at the most dangerous flood areas that people could be in, the most dangerous fire areas, the most dangerous health areas that people could be in, so that staff does that review in case the staff wants then to have a department or code people or our police go after that, but not prescribing how. It recommends an encampment

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strategy, tries not to be prescriptive at all in terms of how that should work. I think we're already complimenting an encampment strategy so it might not be necessary to do it all, but I recognize from having the discussion that it's being done in a pilot format, and hopefully, as Laurie talks, there are going to be lessons learned from that that would direct whether or not and if we do proceed with it, how we would proceed with it, so to at least indicate that there's support for that if it's something that looks

good, but to not be prescriptive on it. It says, you know, add to our legislative agenda the federal laws that are pending before congress right now to bring in money. It asks for state support. It speaks to creating a risk fund, which is what we have right now for veterans that was real successful in that department, not that we need direction to do that. Again, all this, I think, can be done without that. I know we've asked for the waller creek detours for a long time and repeated things. I would have expected that to

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happen a year ago. Still hasn't happened yet. I understand it's happening now, that's great, but we've also been told it's been happening for a long time. We actually need to make that happen. It asks for the immediate efforts to acquire property, there have been conversations today that you're actively pursuing some properties. I think we need to make sure that that's happening and the community knows that that's happening and we're lining up the dollars to be able to do that, and we've talked about that. So anyhow, it's a resolution that I'm not sure really needs to happen. It's intended not to be prescriptive. But I think it just expresses the sentiment that the community is, I believe, with us on this. If we demonstrate to them that we're actually moving forward and that we have an implementation plan, no different than what we asked for in June in resolution 184, that the whole council supported. I think everything in here can fall under 184.

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But we have the echo plan. We have kind of an overarching plan of what we need to do, and we've approved that and adopted that and that's our direction. But what that plan lacks are how you prioritize the plan, how you implement it, who's doing what, where's the money coming from, and I think the community is eagerly waiting to see that. So that's what that item is. All right. Any discussion on the dais on those? Delia. >> Garza: I'm curious what is different -- in 29 and 30, is there something different that was on the agenda -- what was it? A month ago? >> Do you want me to respond? >> Mayor Adler: Go ahead. >> Kitchen: What we ended up with on the 30th, there was a proposed approach that was a phased approach. And what this does is it -- the difference is, this is not a

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phased approach, it's just all effective at the same time. There are some -- there are -- I'm going to hit just the high points. It's not a phased approach. There are a few areas that were in what was proposed then that we deleted, that we took out, and then the last thing is -- and I can go over those if you'd like - and the last thing is, we added some more, what we think is steps to the non-criminal enforcement. >> Tovo: Just to be clear, I think the resolution -- the ordinance that was on the special-called meeting --

yeah, because councilmember Casar and the mayor had brought -- had alternatives to several pieces, the one that was actually on the agenda that was distributed that day had, at certain points, had several alternatives. >> Kitchen: That's right. Sorry. Thank you. I forgot to mention that. So we took out the phased approach, took out the alternatives and put in the

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approaches that our quorum felt was appropriate. We took out areas that we thought were duplicative, like the floodplain areas, and we added some clarity around the steps for the non-criminal enforcement process. >> Garza: Okay. So in the posting, it looks like it was necessary to write in 29 and creating offenses. So what is -- I don't understand the non-criminal approach language, if we are creating an offense. >> Kitchen: You'll have to ask law on that. We asked that that not be included in the posting language, but we were told -- and this is -- I'm just going to say what I -- my understanding, but you'll have to ask legal for specifically, because what it says is that these areas are prohibited, that that is an offense. And that's why they felt like -- that legal felt like it had to be included. So it's legal's language, not

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mine. >> Garza: Okay. So if they're prohibited, what happens to somebody who refuses to move? >> Kitchen: Okay. Refuses what? I'm sorry? >> Garza: To move. >> Kitchen: Okay. If you look at the enforcement engagement process on the last page, there's -- there's a notification process, there's a regional opportunity to comply, that would involve letting people know areas they can be that are not prohibited and assist them, the kind of voluntary compliance that our A.P.D. is involved in right now. It also has steps -- >> Garza: Before you get -- I can read the a through D. >> Kitchen: Okay. >> Garza: The very first line says prior to issuing citation, the law enforcement officer -- so I just want to make sure that we're not calling something non- -- what did you say? Criminal? >> Kitchen: Yeah, it's non-criminal. >> Garza: If it in fact could result in somebody getting a ticket, which is a criminal offense. >> Kitchen: I consider this offering non-criminal processes.

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If people would like to suggest our processes, that's fine. Of course if there's imminent health or safety or someone does not choose to take advantage of all these steps that are offered, that would be illegal today. And so it doesn't create a new offense in that sense. >> Garza: And I don't think it would be legal today, I think there's portions in here that are creating areas where they can camp now, and this specifies areas where they cannot, and in fact almost seems to expand what the original ordinance was that we changed. And so that's actually not a question. >> Kitchen: Okay. >> Garza: So I guess I'm just --

my question for the process would be for Thursday. I -- there does seem to be some changes from the previous discussion that happened in September, but I still cannot

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support -- something in my mind expands what we -- I think we did that was right in decriminalizing homelessness, and so in fact I feel like it expands it in ways. I'm uncomfortable with people saying that it's non-criminal when, in fact, many of these warnings were -- if I remember the chief correctly, in our original conversation in June, these are things that they were offered then. They were offered -- I think they said they usually got compliance in 90-something percent of the time when they asked people to move. So I'm just -- I'm curious if -- in a productive work session, if we can signal whether we -- there will be the support to pass 29 and 30 because I'm wondering if -- how much time will be used talking about that, if they are not, in fact, six votes to pass

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any changes, so just something to think about. >> Mayor Adler: Okay. >> Kitchen: Mayor? >> Mayor Adler: Let's let the other council talk as well. >> Casar: So my concerns with the ordinance as proposed are several, and I just want to list those out for my colleagues. One, seems like there's a change in the definition of parks to make it so that areas that aren't parks, but that people could use for recreation, could be newly prohibited. As I expressed back in September, I have concerns with prohibiting camping five feet from a creek. We know that that might actually move even more people from potentially the place that they've found is most safe for them. Of course being in the creek, as the chief as listed, is a dangerous place, but somebody five feet away, I don't think I'm comfortable with that new prohibition. Prohibiting being in high risk areas, I've already expressed my concern with that, that's listed here. We brought up not starting a fire

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there, but the blanket prohibition in that large of a swath of the city was a concern. That's still proposed here. Many name their concerns with naming specific streets. That is included, as far as I can tell, here, and I have that concern just picking streets in the city. The areas around shelters that are prohibited in my view are too large. I also believe that just prohibiting people being on medians and slopes generally isn't the right approach. In the past when we were trying to come to some compromise here, there was specifically dangerous ones versus not as dangerous ones, and if people were on a dangerous slope, we would actually get those folks housing and explain to them they're on a dangerous slope and get them housing. Same thing with the medians. But I do think the police chief, the bulletin frankly has already

handled these issues, if somebody is in an area where there's real vehicular danger, that already is prohibited. So I can't support the way that

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this is written about medians nor the way it's written about slopes. And I've submitted a question to the law department and just -- but even if I get an answer, I still have concerns just with the way it's written on its face where it's unclear whether this is banning the sitting on all sidewalks citywide. It says it bans obstruction but it doesn't define that obstruction, so I don't know whether just standing in a place or sitting in a place, even if there's ten feet of sways around -- ten feet of space around me, I'm not near anybody's business, I have concerns with what is a really broad and vague addition to the sit/lie ordinance. That's at least eight areas where I have concerns. So to councilmember Garza -- sorry, mayor pro tem Garza's point, I just have concerns with the ordinance as posted. And while we could go through and fix all eight of those areas, that seems like what we were trying to do back in September, and if the more clean thing is

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just to allow the chief -- to use his clarifications and not move further, that's one route. If there are really small clarifying changes that we need to make, for example, around shelters our other small clarifications, I'm open to continue to discuss those, but this to me seems like a very -- it just has a lot of changes in it that I've stated over the last month or more that I don't support. >> Mayor Adler: Leslie? >> Pool: Jimmy had his light on first. >> Mayor Adler: Leslie passes on her turn. Jimmy. >> Pool: I'll go after him. >> Flannigan: Mayor can decide. Whoever he wants to speak is fine by me. The ordinance changes, with respect to the ordinance changes, I'm comfortable -- you know, I think it's fair to say that clarity can be provided, but for me it really is within the context of what, of the two definitions, we created. If we need to provide clarity on those definitions, that's a

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conversation I'm willing to have. Materially endangering helmet or safety of another person or themselves, clause one. Clause two, intentionally, knowingly or reckless I rendering impassable or impeding the reasonable use of public area, making it hazardous. I read that because I know you all know that, it's mostly for the public to understand that is already the definition. If we need to provide additional clarity to those two points, I can work with that. Things that I think fall outside of those two points, like defining certain streets, that becomes problematic to me. The better understanding, I think, the area around a shelter, I have kind of policy implication questions for staff that maybe I can ask in private

about what the implications of that are and what is the right distance. I don't know that these distances are -- they may be easy to describe, I'm not sure that they're achieving policy goals.

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I just want to know more about that. Most of, if not all of these, to me are what we did in June. So if we wanted to include -- kind of including, but not limited to, that we feel that this thing that we did includes these things, then I don't see a problem with that. Even some of the things that I think the proposed ordinance here says would be new, I think are not new. I think almost all of these, in terms of how I interpret that language. And then a little bit of the tweaking, I think, on, like, the number of feet from and understanding where those numbers come from would be helpful. And I think, as we've heard prior, the -- knowing that our public safety officers already need to know certain distances, have that distance in their kid, there are ordinances that restrict things, that is kind of a comfort level that I would have. I don't know, mayor, the process

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we want to follow on this because I'm a little concerned that we end up kind of going around in circles and then not finding the votes we need at the end and I don't want to repeat that process. I'm not sure how we want to go through this. It would have been my preference not to have this posted on the council agenda on Thursday but allow us to have the work session in advance so we would know how close we were before we opened up more public hearings. It feels a little challenging for me. I'm open to ideas on the process side. On resolutions, I'm where I was before, the -- as I skim the resolution proposed here, many of these things I feel like is just what our staff said they were in the process of doing, so I don't know what the resolution does there. It has included things that are new, mentioning healthsouth is a new one for me, so I don't know that this is really where I want to go. There are other items here. Resolutions -- resolutions do not

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allocate resources. The budget allocates resources. However, resolutions do direct staff. And so if we're adding more requirements to the staff work now, my concern, as has been on many resolutions, is that we're distracting staff from the work we've ready told them to do, that we've already enabled them to do. And I don't -- I want to be very wary of doing that. One example, you know, as chair of the judicial committee, I've worked a lot with the municipal court and the downtown court. I brought up the dac issues during the budget. We did not fund it. But what I'm hearing from staff today, maybe the dac is not the first place to put the dollar because we immediate to make sure the housing continuum is in place before you start dialing up that part of the process. So I really want to rely on Laurie and staff's expertise

here before we start asking staff to go and research a bunch of stuff. They're researching the things they need to be researching so I don't think that's necessary, and, mayor, I think your

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resolution -- I don't know that it -- again, it kind of just like -- do the things that you're either already doing or for a good reason not doing, or not prioritizing it, might want to trust staff on how they're prioritizing this difficult work. >> Mayor Adler: Okay. I'm going to let you go, but rather -- when I call on you, you get a chance to speak, and then -- because I will set the order of people that speak. But I'm going to let you go this time rather than recognizing Paige. Leslie. >> Pool: Well, thanks and thanks for that direction. That's the first I've heard that's that's. >> Mayor Adler: That's why I thought I would say out loud. When I call on people and people start reordering on the dais, it makes it hard for me. But, Leslie, go ahead. >> Pool: I'll just simply say that I am looking forward to council taking action by way of a vote on Thursday. Mayor, you mentioned earlier today that you were looking forward to voting on the ordinance as well.

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I think that Austin residents are looking to us for accountability, and the way we are accountable is through our official action on the dais through voting. So it may be hard, it may be difficult, it may be uncomfortable and awkward, but I think the public is looking for us to stand up and make some very clear statements about where we stand on these issues. And I'm fully prepared to do that. Thanks. >> Mayor Adler: Okay. Paige. >> Ellis: What I've been able to understand, as things progressed through this week as we did the original ordinance changes, it seems there has been a disconnect in what council's intent was, and kind of that interpretation as officers out trying to enforce public safety, so I'm willing to make some adjustments to the ordinances. I want to make sure they're very clear. But my concern is also being so prescriptive that we go too far the other direction.

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And as I've said before when we were discussing this very issue, I'm on board with things that are easy to understand, things where people don't have to carry around a long list, and so as I kind of weigh through, you know, what that's going to mean for me, I want to make sure it's something that's really simple to understand, whether you're, you know, someone patronizing a business, whether you're someone experiencing homelessness, whether you're a police officer, that you are able to understand easily what the rule is, that they're broad and overarching and simple. And I still will just revoice my concern for kind of pushing people outside of the downtown community court area, ends up pushing them into places that are prone to flooding and wildfire. So I just want to reiterate those points while

we're -- while we're here discussing this. And generally with the resolutions, too, I'm very much in line with the one that the mayor has laid out. I have the same kind of questions about I hope staff is already

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doing that, too, and want to make sure we're not redirecting them. So I think it's already in line with things that we're doing, and I'm kind of, you know, figuring out exactly where to be on it. I don't disagree with anything in it, but I do worry about other resolutions coming through and turning staff a different direction when we've just had a really open and honest conversation with them and they've shared a lot of the work that they're doing, kind of behind the scenes, and I want to make sure that they're able to proceed with the resolutions that have already been adopted by council. >> Mayor Adler: Kathie. >> Tovo: Yeah, I thought it might be helpful -- >> Mayor Adler: You're not -- you're on now. >> Tovo: Okay -- to actually go through the resolution I brought forward. This is again very much -- she similar to what has been posted now for quite a while, and really none of the elements have changed with the exception of all references to phased -- to phasing of the ordinance are gone. We did -- and thanks to the co-sponsors on this for really

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working to organize it in a way that I think makes it much clearer, we -- in response to some of the concerns that I heard about being prescriptive, we went back and adjusted some of the language so that I think it's more reflective of that approach. And I did remove several of the to-do's. I will note most of those, I think, had originated, mayor, with you, and so they are not in mine, but they are in yours. So creating a map, doing some of those other things, getting rag bags out, those are still in your resolution, and then a couple ideas that I had like making sure we're addressing the racial inequities that were noted in the action plan, are now only in the mayor's resolution. But just to go through and make sure that everybody kind of understands what is in and what is not in the resolution, the whereases, you know, recount the history of various things that are relevant. The encampment response strategy is one that came directly from

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our staff's suggestion from our homeless strategy officer. What you see in here is maybe a little more detailed than is in the mayor's resolution, but the intent here is not to prescribe a process, as you heard. There's a pretty clear process. But it is intended to provide enough details that people understand what an encampment response strategy looks like. So to the extent there are concerns about prescriptiveness, I hope we can raise them here because I too think this should pass on consent. This is very reflective, both of what our staff have said are priorities, and I think are very reflective of what we

have said is a priority. It does include time frames, which I think are important. Happy to hear from the staff if these time frames are not -- are not realistic or problematic. We've shared this with the staff now multiple times, but again, happy to hear any concerns about those emergency shelter, I think it's critically important that we do emphasize. We understand that the staff may

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identify a need for additional shelter beds. Healthsouth was in the last resolution, and I know that because I got a lot of very concerned emails about it. I understand that's not everybody's ideal location for a temporary shelter. But as we're asking our staff to consider opportunities for immediate shelter, if that is determined to be a need, I think that should be one of the buildings analyzed, and I have adjusted the language here to make it clear that it is one, among other, facilities that would be considered, including hotels and motels. This again is the work that I believe our staff is currently doing as they develop an encampment response strategy and will be working with individuals to assess their needs and connect them with services and figure out what resources we need. But I do think it's important that the council endorse that approach, and that, again, that we craft a timeline so that these things come back to us in a way that we can be effective in making sure that we're allocating appropriate -- that we are

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endorsing the use of appropriate funding. So the next section talks about funding. Again, I think, you know, we have committed to the community that this is -- that we are very deep in the work of connecting individuals and encampments throughout the city with services, with shelter, with permanent housing, and we need to step up and make sure that we're funding it appropriately, so the funding is a piece of that and then the safer camping section just indicates that, you know, we expect and that it is the expectation of the city that all existing ordinances are going to continue to be followed. I think there's a section along those lines in the resolution that mayor Adler and his subquorum brought forward as well. Again, we all know this. Our community continues to raise concerns about it. It's helpful, I think, for us to just underscore that we are committed to making sure that individuals experiencing homelessness, as well as the

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broader community, is as safe as possible. So there's no -- there's no new action there. And, again, I removed things about the maps and working with people to get them items that might replace mattresses and things of that sort. So I think some of that is still in yours. And then compliance, just again outlines what we expect in terms of a collaboration among members of law enforcement and

homeless -- this, too, is not out of line with what I -- with what I would expect our staff would follow. So this is so this is -- I would not say distracting our staff from their priorities or distracting the staff from their purpose, but it is putting us on record as a council that we are committed to these, we're committed to this perspective, committed to this process and we're going to fund it appropriately. So I would ask if there are concerns about this resolution, if there are any

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obstacles to passing this on consent that we use this as an opportunity to raise them and perhaps they can be addressed with language changes otherwise. >> Renteria: Mayor, I support what you passed out on item 29 and if we could -- I think we're pretty close. I think if we just get together and talk about it because, you know, I, too, see what's going on there and we need to clean up that art there because we have a lot of predators that go off there and feed off these poor people and we also have that drug problem that k2 or whatever they call that stuff and it's costing us a lot of money and to deal with all of that, and we need to really start working with -- I mean, we can -- I know that we can work together to come up with a strong resolution to solve this problem. You know, we do -- we're not ready. We kind of jumped the gun on

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the whole thing. You know, we don't have the shelters and the housing to put these people in yet, you know? We're gonna have to work. It's not gonna be a solution overnight, and we just need to, you know -- as soon as we're in a position to do that we'll come back and revisit this. I think we can do that, and we do manage our homeless population and then come back and then we'll start, you know, looking at what we can do to take -- to keep this from giving tickets out to all these homeless people because it's not a crime to be homeless. It's just an unfortunate situation out there, so I think we really can address this issue, and I hope so, that we can get it done quickly. >> Mayor Adler: So for me, you know, I'm not sure there's an issue that's come up before this council over the last several years

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that -- that has had as many members of the council working hard on this issue, both in resolutions and not in resolutions and work, stakeholder groups, all around the city in their areas, which is reflective of the fact that, as a council, we put this as the number 1 priority of the council. Everybody is working so incredibly hard on this. For that reason I really hope and I join in people's urgency in making sure that we pass something on Thursday because I think the message we send if we don't pass something on Thursday is the wrong message. I think that when we didn't act in September it was confusing as to why we did not despite the fact they need was really motivated on this and I think to a large degree are all

pointed in the same direction. I really appreciate the work of the quorum, subquorum that brought forth the items 29 and 30.

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I know a lot of work that went into that and it incorporates a lot of the stuff that other people worked on four weeks ago, which incorporated a lot of the sentiment that people were expressing on the message board and in other places. It really is a group effort here, and I think we need to look at the resolutions coming forward as a group effort. We're all trying to do this together, and there's -- we should all be joined in trying to get that done. With respect to the resolution and the ordinance, I think it's important that we clarify -- and I am fine looking at it the way that you did. I think it's appropriate. We can clarify what the ordinance was that we passed before, where we said it's not right for people to be able to endanger themselves or other people, it's not right for people to be able to block or impede, but we can

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give greater definition to that. Again, I'm not sure we need it because I think the police chief can go ahead and define that, I think you can go ahead and define that and I'm appreciative the chief took a step in that direction with his direction. As he feels the need he can go further that is not. That said, I think it's important that we at least clarify to some degree to break up a logjam that's happening in the community where you feel people aren't exactly sure where to go. What I handed out was the conclusion of different subquorums work on the things that if we don't do anything else we should do this. The first one is to say we're not gonna camp on sidewalks in the city, for a lot of the reasons that the chief said, a sidewalk has moving people. There are lots of other places that people can be, and by saying you can't camp on a sidewalk we're not telling people they can't be in our city, but it's saying that as we share our spaces,

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as we come up with what is our inclusive management of shared spaces, this space we're gonna reserve and have people not camp on it. The next one is trying to figure out how to deal with the recommendation from staff and you, manager, about highly trafficked areas but at the same time trying to deal with the concern I had raised and other people raised about picking streets and then trying -- because other people are saying why not the street near me ask there are other streets that have those characteristics so I appreciate the idea that came from this other subquorum for the council to consider that says let's come up with a standard we can just apply throughout the city that relates to pedestrian traffic and conflict of movement, let's say you can't camp, sit or lie within 15 feet of a door

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jamb of a business, that would apply on all streets. Second street are gonna have places where you really can't be in those streets, but you can be a half block away or a block away, so there's still other places where people can be but it's a standard then not tied to us arbitrarily picking a street but trying to come up with a criteria. The third one is I think we really do need to say there's an area around the arch and Salvation Army where people can't camp, sit or lie. I think that probably is the only thing that's not a clarification, Jimmy, of a and D because it's not necessarily tied to safety or endangering, but I think we need to be able to demonstrate to the community that we can in fact do that around shelters so that we can get other shelters. So I'm not saying no at this point to the other things that are in the work. I'm just trying to say that I just hope we don't pass

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Thursday without passing something and I think it would be great if we passed at least these three things. With respect to the specific resolution that you raised, did you want comments on that? On page 3 of 12 you have a1 and 2, which are the things we passed before. I think that the kinds of things that I put on the sheet, rather than being a separate offense, should just be things where we're saying someone is deemed to be violating 1 and 2 if they do these things. So that we're just clarifying it. We're not creating a new offense for those things. We're just clarifying it. I think two of the three things that are on the list, one of which I think you already have, you already had on a sidewalk in that subquorum's work faction we added no camp sit or lie within feet feet of a door jamb instead of individual streets it will cover more area, it will cover those as

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they exist outside the central business, the community core area as well. With respect to the area around the arch in going around and talking to people, the definition of the area around the arch, I'm more comfortable with something that stops I-35 and goes to the east of I-35, but other than that I would be okay with the boundary of the arch. I am concerned about the boundary of the south Austin shelter because at a half mile that seems to me to be a much wider than it should be. I'm not exactly sure how to handle that. If we were gonna put that in to say shelters outside the central business strict or to put in the same 900 feet that's in that district or quarter mile we had talked about four weeks ago, but I'm concerned this is too far. The other things that are listed in here, whether they're things that haven't been done yet or the things that are already under law are not separate offenses. Again, if anything they would be an explanation of

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what it is that a and B would be. You have some things that -- some of the things I think were already mentioned in the chief's list, including the big round median strips and traffic and that kind of stuff. In the resolution I had -- you don't need a resolution to do it but somebody on staff, in the city should say here are the most ten danger medians around and let's move those people off there because it's not safe. I'm not sure it's necessary to have it in here to do to do that because it's already part of the law and already in the bulletin that came from the chief. There's an area here about repeating things that are -- already under the law. I'm not sure that flood bio lands is already covered by preexisting law. It is in the section of preexisting law so I just need to see that. It's not that I'm against reiterating things that we're already doing or are

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already against the law. I just don't want to put in jeopardy us passing something in order to include something that is already part of the law or already there. I didn't understand on page 9 of 12 the offenses and exceptions. I would note by the way that you could do the three things that are in this list here, you could do them just within 9, 4, 11 and you wouldn't have to make any changes at all to 9, 4, 14, you could accomplish all three of these things just by making the further description in that section because they apply citywide. With respect to 9, 4, 14, 9 of 12, after we have the 1 and 2, interior endangering and it's an offense to impede the reasonable use of a public area, you have then a second one that says obstructing a sidewalk or a trail, and that seems to be repittative of what it is

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that is up above in terms of obstructing the reasonable passage. If it means something other than obstructing the reasonable passage then I'd want to know what that difference is because that would seem to then expand what it was that we had done earlier as opposed to explaining it. On the resolution, Kathie issue -- in going through that again -- and I appreciate the work, and a lot of this is really good, but things that we've already, I think -- you can already do these things, and I think that's part of the frustration. In the encampment strategy, you're directing staff that the first priority area should be the arch and under the Ben white boulevard from Lamar to manchaca, I don't know that -- I think that that's right and I'm not sure I have the expertise to do it but part of that area that manchaca that looks unsafe to me because people are on an I'd land and

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really close to traffic and then you have a transit stop and really big flat area and I don't know that is a place between Lamar and coming west that that is the right area to do, but what I'm not comfortable doing is at this point while the staff is already doing an encampment strategy so I'm not sure we need to ask them to do one because they're already working on it that they should be giving direction to that. In the emergency shelter action, as you know I'm really uncomfortable with incorporating healthsouth into this because I really question, given all the other conversations we're having about housing and about -- the conversations with the county about whether we should be including some of these other uses in that and the conversations about tearing that down and building that out and maximizing as much area as we can on that for as many community benefits or return we can receive,

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the -- there's something in here about going 24/7 with respect to the community court. I don't know that I support that. I know there was some recommendation. Someone said that was not the right thing for us to be doing so I'm somewhat comfortably be prescriptive on that. >> Tovo: If I may, I don't know what the right point is to respond but all we were doing was asking the manager to provide a cost estimate for that option. Which I understand the dac is already doing but it wasn't prescriptive to say create a outreach chain that was 24/7. It was asking for the cost of it. >> Mayor Adler: So much of my concern is in getting the ordinance passed. I'm just laying these things out that are concerns to me because you asked -- I was reading it that way. I don't want people to walk away thinking that's what we did and I don't want to detract from the message of passing this ordinance and I don't want to pull people away from focusing on housing. I know it only asks for a cost estimate, but you could probably just get a cost estimate of that.

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Rather than having the council take an action on that. I'm just concerned about that. The safer and healthier camping, I think that's covered in other things, as is the direction on compliance and the other places. Again, you know, not so much that anything here is -- other than to the degree that I said problematic for me, similar to the discussion I had about the resolution that I put forward. What -- I think that what the community really wants from us now is to provide clarification to the ordinance. The other thing being that I would add potentially to this is number 4, something about the structures themselves, if there was an appropriate recommendation to be made on that. And I think at the very least we need to promise ourselves and each other

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that we'll at least do the basic kinds of things. My sense was that we weren't able to get-togethers place in September because there were lots of other things that happened, too. I think there was core stuff we could have agreed on but we couldn't pass it because of other kinds of things that I just hope we don't get to that place on Thursday, that we can actually find out where it is that there's the Ven diagrams across one another that we can do and we make sure on Thursday we act and provide that direction. Alison. >> Alter: Thank you. I wanted to -- I still want to speak but I did want to get clarification on your subquorum because I appreciate what you're putting forward here and I just wanted to understand. You said this was on behalf another subquorum so I'm just wondering who this was on behalf of. >> Mayor Adler: Which? This? >> Alter: Yeah. >> Mayor Adler: I don't want to speak for any of those people because there's nothing being brought forward but the people I have talked to about this are Pio, Paige and Jimmy.

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>> Alter: Okay. Thank you. So I wanted to just perhaps comment on a couple things. One is that I think that there's general agreement about the structures, and we had chosen to put that in the resolution so that it was something that public health and city staff would be able to figure out because it's sort of -- that was just where we put it. So I don't know that we have a disagreement of if you come up with language to put that in the ordinance, but we have a section on page 7 of the resolution that says safer and healthier camping, which provides that kind of direction to the city manager to address that. So I wanted to point that out. Then the other part is, I had shared your concern about naming particular streets, and we may need to

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wait for councilmember tovo to come back, but we went round and round on that as well, and so because I was sort of saying, well, if on a sidewalk, if you prohibit on a sidewalk, then why do you need to have prohibitions on these particular streets? That's where the -- it reads for the following on part six on page 4 it reads on the following high pedestrian vehicular traffic roadmaps including any right-of-way, so long as you have number 5 then the specific streets really is talking about the right-of-way, and those are identified because -- because of the level of traffic on those streets, things that are in the right-of-way, like the planters and other kinds of things, when you start to have camping on streets that are broader and have this high pedestrian vehicular traffic it creates hazards for the mobility and for the safety, which is also -- also was our overarching

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approach to doing this. So maybe when I finish, if possible, councilmember tovo could explain that in greater detail because she's been dealing with the on the ground stuff and when she explained it it added a whole lot of clarity of why in that case you might want to have particular streets, and it was in addition to having it on no sidewalk in the city. And so I think that would help to add some clarity there. I have no problem if someone wants to change the legal form of this to be, you know, including these things as defining the other two. I think we very much approached both the resolution and the ordinance with the goal of clarifying what those two things -- goal of clarifying what those two things were with respect to hate and the reckless passage so I don't think it would be

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problematic to change the approach under those things because that's exactly how we approached the whole thing, that we were providing clarity on what was safe and healthy for the community with respect to this. So that's all I wanted to say at this point with respect to the protocols that our quorum had put forward. Mayor, with respect to item 32, I'm still kind of working my way through to figure out which pieces are new. I'd really like the reference to the additional funding and the legislative agenda, which should be obvious that we want that, but I don't know that we've actually stated that someplace. I do hesitate on some of the signage and the guide part of it. I'm not totally comfortable with having signage all over the city, and we did take the signage out of the ordinance as well. I will just point that out. And I guess my concern about

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32 is not so much that I disagree with anything so much -- I think there's one or two places I might disagree, but it feels like it's the direction we gave in 184 and haven't gotten results from that and that is what frustrates me about it. It's not so much the specific ideas. I haven't quite figured out where that leeches me to vote but it is not a problem with so many of the specifics except for one or two, but really with the process where we didn't get results on 18 now, which we had worked on together moving forward. So thank you. >> Mayor Adler: Okay. Delia. >> Garza: Councilmember tovo asked about -- I was responding to the request about the concerns about the resolution, and I guess one is it doesn't seem like it's not attached to the ordinance changes. In fact, it refers several times to the ordinance changes. So I don't know how the two can -- I don't know how you can say how one -- it's

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attached to the ordinance changes. So it's not, like, they're two different things that we're talking about. That's one concern. We have never that I remember talked about using healthsouth as short-term emergency shelter, and this resolution talks about that. It does say "Such as," but I'm not ready to have

the conversation if we're using healthsouth for that. With regard to the 24-hour, I believe it was a memo from staff that specifically said it was the one thing staff did not recommend, it's not expected to effectively address a individual's homeless status or access to basic needs any more than traditional hours and it goes into why, because the deliberative process of the court proceedings. And so, I mean, those are just -- there's -- I have

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more concerns with that resolution. I still believe it is prescriptive in ways I'm not comfortable with, and so that's why, as it's written right now, I could not support that resolution. >> Mayor Adler: Ann. >> Kitchen: Thank you, mayor, for -- and everyone for laying out your perspective on the ordinance. That's very helpful. I'd like to talk about just a few of those things because this is our time to do that with regard -- as councilmember alter said, we could go into the form of it. I don't have any problems with changing that. The language on page 3 item B was from legal, so I'm happy to go back to them. It seems to me that deemed to be violating should work. But I need to go -- assuming there's no legal issues, and I invite our city attorney to speak to that if you're

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aware of any right now. So there's that. Could I ask if you're aware of any right now or should we. . . So on page 3, item B, the mayor had suggested changing that preamble language where it says except as provided by subsection F a person commits an offense, et cetera, to, mayor, I think you had suggested "Is deemed to be violating." >> Mayor Adler: Or something like that. >> Kitchen: Something like that. It makes sense to me. I'd like to make that change unless there's some legal reason that we couldn't. >> I think -- Chris with the law department. We'd have to look at the specific language before I could opine on whether it's a problem or not, but I think, you know, as a general matter I think if you're trying to define what -- that these areas would be deemed to be an area where a person would be

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violating a1 or violating a2 as sort of including but not limited to these sorts of areas then I think that -- at least hypothetically or conceptually is a possibility. >> Kitchen: Okay. We'll work on that language. Then, mayor, on page 4, with regard to -- there's a couple of areas -- I appreciate that you have identified the three areas that you're thinking in terms of basic or areas that the community wants clarity on. I appreciate that. I would suggest that the areas that the creek -- the reference to creeks and rivers, the reference to high fire risk, reference to accessibility ramps are important also for clarification. >> Mayor Adler: Okay. We had talked about it before. I'm not sure about the 5 feet but certainly putting in the bed or bank of the creek or river.

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5 feet would be smug that would need to get discussed and as we had discussed four weeks ago, so much of the land in the city is high fire risk. I think I'm much more comfortable with concepts like not setting a fire in a high fire risk area as -- >> Kitchen: Thank you for that clarity from your -- on your perspective there. So then on the traffic, the medians and islands and the sloped area under what I, -- highway, for the community I represent clarity on these areas is critical. I appreciate your perspective that I think I heard you say that that was already part of what our city could be enforcing, but the fact of the matter is, is they're not, at least as of this point in time. And for the community that I represent, this is pretty

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basic, and I would just ask that we include those two areas. So -- those two descriptions. Then let me speak to the shelter. I understand that -- >> Mayor Adler: So with respect to that, in case it's helpful. >> Kitchen: Okay. >> Mayor Adler: We had talked four weeks ago if we were going to include anything like that to put in language that spoke to the ones that the manager has determined to be the motion dangerous, most at risk, and I think if we did that that would make more sense to do. But if we do that, I don't know how to do that other than for the manager to say, hey, these are the ten really, really unsafe places, people shouldn't be there and post a sign that says no camping, sitting, lying in this area but I know you guys were trying to move away from signage. It's so broad to make it then a, per se, violation I think was creating issues. >> Kitchen: Well -- >> Mayor Adler: I understand your point, but in terms of trying to make it as -- something where the Ven

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diagrams cross, that would be my suggestion. >> Kitchen: Okay. I appreciate that suggestion. I would just say that the information we received from our transportation department is that -- I'll just give one example, that these islands, they're defined as areas that separate opposing traffic flows, a painted area or raised curb and I would suggest by definition they're dangerous places for people to be. So if you would like to suggest other language I'm happy to entertain that, but I feel pretty strongly about the medians being dangerous places. Again, let's not confuse that. I don't want to confuse that with the flat area under overpasses. These are medians between opposing traffic areas. I know people are probably tired of me mentioning the area at manchaca and Ben white but that's an area where a median between buses that go every 10 or 15 minutes on one side and

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traffic clogs. So anyway I think that's important to keep. Let me speak to shelters for a moment. I would just invite, you know, if there's -- if the feeling is that 7b with regard to south Austin center is not the appropriate boundary, I would just ask for people to suggest what they think the appropriate boundary is. This is an area -- you know, it's in an area. It's not on a grid it's not like downtown. So I don't know how you would application -- apply if you talked in terms of blocks because it's not set up as blocks so that's one issue. And what the attempt here was for clarity purposes to just name the streets, like we've done in -- we've done that in these ordinances in terms of saying the specific areas that the sit/lie applies. If you'd like to suggest other areas, I understand in

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here that people have raised concerns about these boundaries, but I haven't heard any suggestions of other boundaries. So I can't really move forward unless someone wants to suggest some other boundaries. The other thing I would suggest is that the challenges in these -- in this area around the south Austin housing center is that there are two schools, elementary schools, near -- and I'm not suggesting that an individual being homeless is dangerous for school. I'm not suggesting that at all. What I'm suggesting is that those are the concerns that people in this area have raised and that our boundary needs to understand and respect those concerns. So this is, for example, there's a montessori school on the west side, and on the east side is Galindo. And that's why it says the eastern boundary of south first street. Anyway, I hear the concerns people have raised about

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this boundary. Just ask that, you know, that -- you know, happy to hear other proposed areas or other proposed boundaries. I would just ask that we need to address that area as well as the arch. Let's see. Item number D about putting that -- and that's the list of existing areas. I think we can work with your suggestion, mayor, that perhaps we -- I don't know, we'll work with law on whether -- if there's another way to list that. But it's intended just as clarification for people of what existing law is, not to create something new. So perhaps we can put it in findings or we can write it in a different way. But we'll work with legal on that, if I heard you correct on what you were suggesting there. Is that what you were suggesting, that we put it

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in a different place? That's on page 5. >> Mayor Adler: No, no. I understand. If that helps us get to passing an ordinance then I'm all over that because I want to make sure we pass an ordinance on Thursday. >> Kitchen: Okay. If others feel that way, please, you know, let us know and regardless we'll work on where we place it. Let's see. I think then the last thing that I think that you mentioned that I'd like to respond to is with regard to the resolution. >> Mayor Adler: Clarify the objecting on page 9 of 12. >> Kitchen: Nine of 12? >> Mayor Adler: I don't know what you were intending there. >> Kitchen: Which item do you mean? Two and 3 is that what you mean? >> Mayor Adler: Number 2. >> Kitchen: Item 2? >> Mayor Adler: Mm-hmm. >> Kitchen: Okay. Well, it's intended to -- this is in the ordinance related to sit/lie, which we have redefined as obstructing. >> Mayor Adler: Is obstructing a sidewalk any

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different than making it passable, the reasonable use of public area? >> Kitchen: Oh, I see. You're asking about whether it's different than the 2, to lie? >> Mayor Adler: Yes. >> Kitchen: Is that what you're asking? It's clarifying, which is what we're trying to do. So it's clarifying that a sidewalk, impeding the reasonable use of a public area, that a sidewalk is a public area. So, again, this just goes to what we were trying to say before, which is -- >> Mayor Adler: So are you okay with number 2 by saying a sidewalk is a public area? >> Kitchen: If it achieves the same -- >> Mayor Adler: I just don't know because I don't know if -- the police chief gave us kind of an application as applied -- what he believes at this point impeding the use of a sidewalk is. And he's defined it -- >> Kitchen: Oh, I see, okay. >> Mayor Adler: I don't want to know if your obstructing is any different than the chief's definition of impeding that's already part

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of the thing. If it's not, then I'm not sure it actually clarifies anything. I think it would create confusion where people would think you meant something other than what the chief said, impeding the reasonable use of a public area was. >> Kitchen: All of these clarifications are consistent? >> Mayor Adler: So if all you're trying to say is that a sidewalk is a public area I think it might be better to say a sidewalk is a public area. >> Kitchen: I'll think about that because the -- you know, the purpose of what we're doing with the ordinance is clarifications in an ordinance, which is different than a training document that the chief put up. >> Mayor Adler: If your intent is that it means anything other than what the police chief said, it would be helpful to know that. >> Kitchen: Okay. Okay. Okay. So then -- >> Casar: I don't mean to interrupt, that was one of my main points that I listed and that would be really helpful going into Thursday if that could be posted, if the intent is for this to

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change anything, if the intent is for that line to change anything than what the chief said in his press conference. >> Kitchen: Are you talking about obstructing of sidewalks specifically? >> Casar: Exactly. That was one of my main questions, to understand if that line changes anything that the chief said on Friday. >> Kitchen: On obstructing the sidewalk. >> Casar: Correct. >> Kitchen: Because he said a number of things. >> Casar: Specifically on that one, if that changes what it is described. >> Kitchen: I'll go back and look. I don't think that was the intent but I'll go back to understand your question in light of what he said. >> Casar: Thank you. >> Kitchen: Then the last thing I wanted to comment on was the resolution. And, mayor, you had asked on the encampment strategy, you know, the encampment strategy mentions high priority areas and includes the arch and the area under Ben white. I just want to clarify that that's different than the ordinance. So we're not suggesting by talking about an encampment response strategy in that

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area, we're not suggesting that that is an area that is prohibited in the ordinance because it is not. >> Mayor Adler: I understood that. >> Kitchen: But it is an area that was identified by our staff, by our homeless strategy officer, as well as by integral care as one of the key priority encampments in the city. So it is -- I think for clarification purposes for our community, I think it's important to keep that in there. I don't understand why we would want to take it out. I think it makes it clear for our community that that is an area that we're aware of and that was recommended by our experts as an area that we need to consider an encampment response strategy in. I'm happy to add other areas if people are aware of other high priorities. Those are the two areas, as you may recall on

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September 20, we had asked integral care to come up and talk with us, and they specifically mentioned this area so I don't understand why we would want to take it out. I think it's important for the community to see it in there so that is something I feel pretty strongly about. >> Mayor Adler: We can move on to other stuff -- Kathie and then Greg. >> Tovo: Just a couple quick observations about the sheet that you handed out. I mean, to me, number 1 is consistent with the ordinance changes we brought forward. I think that was a point where we had some differing ideas last time so I think that it sounds like there's a real consensus around number 1. Number 3 I think is consistent with our ordinance changes that we've brought forward with regard to the arch and salvation Army. I would say number 2 is much broader than what is currently proposed in the ordinance clarifications we're bringing forward. We talked about not -- about

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six to 15 feet would extend it and in effect I think -- I'll have to think about it, but I think within 15 feet a door jamb on a residence or business makes the whole conversation about high pedestrian streets probably moot because most of them, the right-of-way on the sidewalk together are 15 feet. So just, again, as we try to wrestle with the differing perspectives, I just wanted to point that out but 1 and 3 are reflected and then 2 is in line with just broader than currently proposed. With regard to the resolution, you know, I will say, again, I think the resolution -- if we made absolutely no changes to the ordinance, I think we would still -- I would still encourage us to direct staff to come back with a plan for the encampment response strategy and a real concrete

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sense of what the resources are that are necessary. I mentioned the dac. I want to get back to the dac. The dac memorandum did not suggest -- it recommended against expanding the dac hours 24 hours, mayor pro tem. It did recommend the alternative of the outreach teams that would be available, and this is something that we had an opportunity to hear from our dac staff on the than we did our special called meeting so they have been asked by that resolution 184 to investigate a couple different alternatives. They did. They came back and said the idea of having a court function 24 hours is not something they would recommend. They did recommend the alternative, having the outreach, and that is what I'm asking for cost estimates. Certainly I could call the dac and ask for that. To the extent possible we've been encouraged to direct our questions and direct that kind of research through the council as a body. I think it's also responsive to the memo to get that information back. They've provided the memo but not the cost estimate.

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Again, it's my understanding they are working on those and probably have them already, but I think to the extent that it can come back in a memo or something like that it would be helpful so just articulating that is important. There have been concerns about healthsouth. I just want to say again the language is directing the manager, if necessary -- and I can change the language so that it makes it very clear that this is if there's a need for additional beds that we're directing the manager to look toward these as options, and healthsouth is just one of them among other facilities that's identified. We've been asked in the last couple months, why aren't we using our rec centers, where aren't we directing nine manager to look at a variety of buildings. I did a resolution asking our manager to look at using rec centers. It came back with lots of challenges, prohibitly expensive, displaces programs that are in it, disruptive for the broader

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community so, you know, we could look at that option again. I was compelled by the information that came back that that's probably not -- if we had a need to identify emergency shelter beds immediately because we don't have enough -- if the assessment from staff comes back that we don't have enough I don't think rec centers are gonna be our best option. However we have a downtown building standing vacant at this point. We have made -- taken several actions as a council to move forward with creating housing there. I think that's -- I continue to stand behind that as a great option in that location. But as an interim temporary use. Again, I want to underscore it because it created so much controversy when it appeared in the resolution in September, it was only ever intended to be a very temporary use to be considered, but in any case, it's maybe -- maybe the staff will determine -- or maybe the staff will be able to secure a hotel or some of the other option or and we

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won't even need to identify it. I mean, we won't even need to consider it. Mayor, I had a couple questions for you about your resolution that I hope we can ask or the resolution that the group brought forward in number 32. As you pointed out you've asked the manager to get different staff involved looking at one, I want to say two. I appreciate the emphasis on our legislative agenda. I think that's -- that is new and very useful and I completely support it. Regarding the information that the staff are gonna be compiling about highest dangerous streets, highest flooding areas, what happens to that info? How do you plan for that info to be used? Is that something that you think then feeds back into the police guidance? >> Mayor Adler: I think there's other action that just can be taken in enforcement. I think it -- when we talk about A and B being

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endangering people and concentrating -- impeding or blocking, I mean, there's a spectrum. So the question that I think enforcement people have been asking in the community is where do we draw the line? Because whenever we draw the line there's gonna be something that makes the line and something that doesn't make the line, and I think that in some instances in the community that stopped our institutions from being able to enforce those sections for fear that something could just be in line or just outside the line. So by telling the staff draw some lines, my hope is then that they would then be able to act on that and say, well, here we've identified the ten most unsafe places or the ten most -- and it's not safe for people to be here, and then keep people from being there. And it could be that over time, as we have more and more people housed and we

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have less and less of a need for people to be in places and outside, which is the goal, to have no camping anywhere in our city, the staff could augment that list and say now we're in a position to free up the next ten most unsafe areas. But what happens to it I don't know. Be prescriptive about it. I thought having that in the universe might help the staff move forward and if the council needed to act the council could act. >> Tovo: Okay. Could I suggest that it would be helpful to have some report back time frames on this? I think one of the things that I noted is that it's not clear when some of this information is coming back and what the time line -- as we've noted some of these have been launched before and maybe haven't been implemented fully or some have been. But I think if we have time frames that helps both the staff and the public understand what's the expectation for when we might see that info. >> Mayor Adler: Okay. Thank you.

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>> Tovo: Just as another -- because I'm not on your subquorum, I just wanted to mention with regard to one of the be it resolved it's my understanding that Amazon is actually working with the Texas homeless network to do some of the work that you've envisioned in this in terms of connecting those continuums of care so that might be a nice point to include within that. And I think that was -- oh, I know. Then I guess, too, there are some other things I wondered about in terms of time frame but also what the product would be. In the section that we addressed earlier about the guide and the map on page 7 of 10, can you talk a little bit more about what you're directing the manager to compile a guide and a map of areas that are -- are --

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where camping is permitted or camping is prohibited and how would that reflect some of the information that you've asked the staff to generate with regard to most dangerous streets, most dangerous flooded areas? Are those two aligned? Are they doing a map and guide after that other information is compiled? What's the relationship there and what's the expected time frame? >> Mayor Adler: I think it could certainly be helpful, to the degree that we're identifying places in the city where people can't be, if we're saying, you know, outside doors, for example, there are publicly areas within those blocks unless you're in an area where you have lots of retail, like on second street just out here, probably there's nowhere there, but there are places a block or block and a half away and it might help facilitate conversations with somebody who said, hey, you really can't be here, and they asked where should I go to be able to easily identify for people areas where they could -- where

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they could be. It's intended to be a facilitating thing. It obviously wouldn't have anything on there that you can't be -- that the staff or atd or the police chief hasn't said we're not going to let people be there but to the degree that they do then it might help people understand where they can be or not be. It might help people in the community understand where we have determined in our shared space plan where other people -- where other people are allowed to be as well. >> Tovo: Would you intend then for it to reflect the information that the staff are being directed to develop in terms of the highest -- >> Mayor Adler: Only to the degree that the staff had determined to make that actionable information. >> Tovo: Okay. So the process then would be for the staff to do this work and look at those different areas with regard to streets and flooding and whatnot prior to developing a map and a guide? >> Mayor Adler: Prior to putting it on any map or guide. I don't even know we'd need

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to wait for that but if the police chief identifies more places where he's telling his officers don't let people be, then I think that would be either put on or added to any map or list that existed. I mean, again, the police chief can do that now. And we can administratively with atd identify places where people cannot be. I'm just saying we should do that. >> Tovo: Okay, thanks. That's helpful. I'm just trying to understand the relationship so that if we're putting out a guide that says this is where people can't be but there's a administrative process going on identifying additional places I just want to be sure if we're putting out information that it says comprehensive -- that it's as comprehensive as possible so that people understand, people who are experiencing homelessness understand where they can and cannot be as well as -- >> Mayor Adler: It can change over time. I would hate to not have a guide if we were going to do a guide because they hadn't convinced others that we

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had everything on there that would ever be on there either. Jimmy. >> Flannigan: I hate to do this, it's almost 1:00, I don't know this is the type of conversation we want to have hangry, so maybe it would be good to have a great and get lunch. >> Mayor Adler: It looks like we have a lot more people to comment. >> Renteria: I want to say one quick comment. You know, we've been for over 20 years with soup kitchen and in the camp ground area and they're still there right now, you can go down there. It's right around our schools, Sanchez elementary is two blocks down from there. You know, we've been suffering for over 20 years because of that. We have called the police. We have taken it all the way to the city council. Council couldn't do anything about it because they would have to take -- they counter sued us and say you have to take it to court if you want to settle that soup kitchen problem we're having. We've been living with this for 20 years. It's nothing new to us on

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the east side because we have this population, because we have a soup kitchen right there on the corner of [indiscernible] And Cesar Chavez. Caddy corner to the library. So if we're going to really start focusing on schools and districts and all that, then we need to look at all of them, not just one of them. Because it's -- this problem is not just on one side of town, south or east. It's everywhere. And we need to really start looking at seriously how we're gonna address that issue and they're sleeping right there on the sidewalk there at the library. That's where they sleep at. Before that they were sleeping all in our alleyways, I mean, just all up and down. That's -- it's our community downtown and we've got a soup kitchen. The police address all of that. >> Mayor Adler: Mayor pro tem. >> Garza: Mine is quick and actually builds on what Pio was just saying.

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I'm concerned about calling out specific areas in the resolution, and, councilmember kitchen, you said that there was -- that that area, which I certainly believe is an area that needs to be addressed, but you specifically said one of the areas. And so not knowing what were the other areas that were discussed and it seems like we're prioritizing two -- it seems like there must have been -- if something is referred to as "One of the areas" there's got to be more and the other concern almost -- I wasn't expecting Pio to make that comment but that area is directly related to a supportive church that's near there. And so I don't know what the unintended consequences are of if we -- I know at some point -- it's not one of the prohibited areas but it's one of the get in there, start working with, I don't know what the consequences would be to doing that one first and where that would essentially move people. To Pio's point, my assumption would be it would move them further south, and

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I appreciate the offer of letting us know if there are areas we can add to this. I don't know who those are right now but essentially creating a prioritization will move people to other parts that will create other situations. So it's -- so it would be hard -- and there were speakers that spoke to this exact issue in September saying it's not fair that we're priority advertising certain areas other other areas and prohibiting some areas and not other areas so that's just a concern with the specifically calling out certain parts of town. >> Kitchen: Mayor -- >> Mayor Adler: No, no. Five minutes -- just one. You had so many chances to talk and Natasha hasn't had hardly a chance to talk at all yet. Ray is gonna talk, Natasha is gonna talk and then Alison is gonna talk and then I'd propose we break for lunch and do executive session and come back. >> Casar: I clicked on the microphone to address the three points that were handed out here by the mayor just so folks know where I'm

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at. On the smaller area around the arch or other shelters I indicated back in September that's something that could be a prudent compromise, but especially and only if we're actually going and offering those folks permanent housing rather than just moving them. So I would note that to the mayor, that if we do that that way I think that could be a step actually forward. On the no camping, no pitching a tent on a sidewalk, you know, lots of time walking around my district and downtown and other places it seems to actually be a really, really pretty rare thing. I would assume, as far as a clarification of building a thing on a sidewalk, I don't love this idea because I don't see it as something happening often but at the same time if it's what's going to have us close the chapter on the ordinance changes and move forward to actually housing folks, I see that as a much smaller change than some of the other changes that I've described that I have concerns with.

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And then as it relates to not obstructing within 15 feet of a door jamb, I could see how somebody camping or laying down that close to a door could potentially be seen as on instruct- obstructing. I do have concern about the word sitting because I think somebody sitting 15 feet away seems to me -- that does not seem like you'd be obstructing that doorway. In the end those three things are to me a smaller list than the eight things that I had concerns with, and I would have a lot of trouble moving forward if we're doing these three things plus all slopes plus all medians plus potentially all sidewalks with the potential clarification that I've asked for on that plus all various of the other things. And so I would really like to keep this to a -- to the smallest list of changes possible and I don't -- and

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I think that getting people housing that are around our shelters and not setting up structures on sidewalks are very small changes, and the second one I would propose that we cut the word -- consider cutting the word sit. >> Mayor Adler: Okay. Natasha. >> Harper-madison: I echo the sentiment -- a lot of the sentiment that's been expressed already and just generally have major concerns and issues with designated areas and spaces. That to say, though, one of my main concerns here has to do with something that councilmember Flannigan brought up earlier. You said something about longevity, more or less, you talked about sort temporary nature of the solutions we're creating. And so that's a lot of how I'm looking at this long-term, is the cost and the efficacy and whether or not we're wasting resources only getting at it from a short-term achievement privilege. So I just want to make certain that throughout the course of this process that we're always thinking

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about -- even some of the conversation around collocation of resources. Think about it 20 years from now. Is the -- and that's still gonna be there and if that's not the case I think we need to be thinking about this from the perspective of the long-term development. I can give you kind -- it might be helpful to look into -- one of my corridors, for example, east 12th street, probably from I-35 down to Springdale is, you know, very soon gonna be going through a major development. And that corridor going through a major development will inevitably make that -- finally make that connection between the east and the west side of I-35 because it's all connected. Waterloo, greenway down to 12th, red river realignment, it's all connected. So I'm thinking about this real big picture so that's my hesitation with even the consideration around healthsouth. For us to be able to take a building that is empty but it's totally uninhabitable, it would cost us millions and millions and millions of dollars to rehab the building to use it for one year, like temporary purposes, and I don't think that's the best way for us

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to allocate our resources and/or the discussion around it. I just wanted to make sure to point out I'm gonna be very quiet throughout the course of this process because there's a lot that I'm struggling with and I think at the end of the day I'm gonna have to -- I'm gonna have to go in the direction of this is the lesser of evils because a lot of this, a lot of of this I'm still having trouble with but I want to make sure, like you, Mr. Mayor, we're producing something so I wanted to make sure my colleagues understand where I'm coming from even if I'm quiet, that's sort of my bigger picture thought process. >> Mayor Adler: Thank you. Alison and then we'll go to executive session. >> Alter: Thank you. I'm excited that we may be moving towards some resolution on ordinance changes and some agreement on some key elements. I do want to comment on two parts. One, I wanted to speak to the high fire risk areas. So as I have thought about

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this process and the clarifications that we're putting forward, it is to provide clarity on those elements of when it's risking health and safety, not only of other folks in the community but also the people experiencing homelessness. The risks of high fire in Austin are very real. It is a question of when, not if, particularly in the high fire Zones, which we already have detailed and there's not a lot of nuance among the areas that are in the high fire Zones that can be put on additionally to what we already -- what we already have. If someone is camping in those areas and there is a fire, we will be very -- it will be very hard for our first responders to help them. They will not know where they are. They will not be able to find them. They will not be able to warn them in the same way they can warn people who

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have addresses in that area. In addition, I understand the spirit within which it is -- well, you can't light a fire. Well, all it takes is one person to disobey that rule and then we have a wildfire that sets our whole city on fire. And I'm having a little trouble with it because if you're camping -- and I don't know exactly how to communicate this, but this is the scenario that concerns me here, is if you're camping in an area and you smoke -- I'm not a smoker so this is all speculation on my part, but if you're camping in an area and you smoke you are much more likely to be smoking in that area than if you're out for a walk in the woods for an hour or two. It takes one cigarette that is lit to set on fire in a very big swath of our city. We cannot ban smoking, you know, in the woods. And so to me saying you

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cannot camp in the high fire risks allows us to mitigate that. There's no mechanism for us to do the other. But the risks are really high if someone is living in those areas because all sorts of things set fires that are not just lighting a fire. And that has been the experience over time of what starts many of the fires that we have seen. So I would like to suggest that we keep the high fire risk. The other part that I wanted to underscore, again, I understand the hesitation about sort of specific streets and other things. It might be helpful to hear from our legal team. Chris, we had had a conversation that originally we had wanted to have it be atd would determine which streets were in there and it was including just the specific streets. We ended up moving that part to the direction to the city manager, which I'll call your attention to, on part C

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on page 12, and the conversation that we were having with legal and Mr. Copela can explain it more was essentially legal needed it to be in the ordinance, the specific street so we're gonna have to come back and revisit it when other streets can come up and maybe you can explain it more clearly. >> I think as a general principle, you know, whether you're creating an offense and making something illegal for a person to do, they need to have adequate notice of exactly where that behavior is prohibited if it's that sort of a crime. So just generally that's, I think, you know, what our advice to the council is, when they're creating a crime, is that people need to know exactly what is prohibitive behavior and if it's a place they need to know exactly where that behavior is prohibited to the greatest extent possible. >> Alter: Thank you. And then I just want to point out in the mayor's resolution on page 7 I'm gonna need to look at that. I'm not actually sure that

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if you say only in the wild and urban interface areas that we're getting at what we need to be getting at for high fire risk, were that to be the default of what we were looking at. >> Mayor Adler: All right. Let's

go ahead and break for executive session. >> Kitchen: Mayor I'd like to take one very short -- well, I guess I'll talk to councilmember Garza afterwards I hope I can because she had to leave. All I was trying to do was answer her question. >> Mayor Adler: Understand. City council will go to closed session and take up two items, real estate matters related to e3 and e4, e1 and 2 have been withdrawn. We will come back out to finish the conversation about homelessness and then we will move to the other items that were pulled on the agenda. It's 10:6. [Executive session] [Executive session]

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[Executive session]

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>> Mayor Adler: All right. So we're back. October 15, 2019, work session, 3:18. We're in the boards and commission room. We were in executive session. While we were there in closed session, we discussed real estate matters related to item e4. We did not discuss e3. >> Kitchen: I'm sorry, mayor. I didn't hear what you were saying. >> Mayor Adler: I was just reading what we did in executive session. >> Kitchen: Oh. >> Mayor Adler: We're back. We're continuing on in conversations about any of the homelessness pulled items. Does anybody else have anything else on these? Ann. >> Kitchen: I just have a question. So, is there -- is the quorum that you're working with, mayor, bringing another ordinance? I just got this in the break. It was dropped off at my office. And I thought -- maybe I was mistaken, but I thought from our conversation earlier that you were just suggesting changes and we were talking about --

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>> Mayor Adler: Some of the offices asked us if we had anything written down that reflected what I had said, so someone in my office handed that out. It's not a draft that's been approved for anything. It was just someone in my office trying to get out to other offices as requested something written that described. I would have suggested he hand out the page that we saw. So that's what that is. >> Kitchen: Okay. >> Mayor Adler: The question is -- >> Kitchen: Go ahead. >> Mayor Adler: Is that a standalone substitute, or an amendment to the other. I haven't given any thought to that at all yet. My goal is solely to try to make sure that on Thursday, we pass an ordinance. >> Kitchen: Mayor, I think it would be helpful for all of us if we understood, and if you don't know right now that's okay. You could put it on the message board tomorrow. But I think for all of us we need to understand so we're not surprised. >> Mayor Adler: I don't have a problem with that. >> Kitchen: If there is another ordinance that's going to be brought, fine.

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But I think it would be appropriate to let everybody know. If there's amendment language that anybody is going to bring, it would really be very helpful to put that on the message board. I know councilmember Flannigan had raised a question earlier about how we were going to proceed and others had raised the question about how we were going to proceed. Just to avoid -- for us to have a succinct conversation as we can, it will help if we have any proposed amendments on the message board. And what I will do -- earlier I went over, you know, I tried to wrap up what I was hearing from people. And so we'll make some changes and we'll post that tomorrow so people can see that. >> Mayor Adler: I would urge everybody to post on the message board whatever they can in terms of language that they may run with in any context, because I think I agree with you. It could be helpful if people saw language ahead of time. One of the concerns we had

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Thursday three or four weeks ago was there was new language being passed out of the dais. I agree we should try to avoid that as best we can. >> Kitchen: Okay. I'm hearing you say this is just intended as illustrative of amendments which may be helpful to us in anything we change, and that you may or may not turn this into amendments. >> Mayor Adler: That's correct. I mean, it was just -- trying to figure out what was the simplest way to have something where the Venn diagrams might overlap. I think that's what the exercise was in my office. I haven't made any decisions to move forward. I wanted to see how the conversations went today, and talk to the people I can about this. But that was not handed out as an intended thing. If it turns into something intended in whatever form, I will endeavor to post it so that everybody gets a chance to see it. >> Kitchen: I had one question about this that we didn't talk about earlier. >> Mayor Adler: Okay. >> Kitchen: Because what this -- and I don't know if, again, if this is something that you're thinking about pursuing.

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But what this does is it doesn't do anything with 9-4-14. >> Mayor Adler: Correct. >> Kitchen: Instead it puts everything in 9-4-11. So -- which is the camping one. So it puts the sit/lie kinds of changes in the same ordinance as the camping. And I didn't know if that was something that you were thinking of pursuing. >> Mayor Adler: I mentioned that this morning. I began trying to explore ways to simplify what happens on Thursday. >> Kitchen: Okay. >> Mayor Adler: And as I said this morning, one way to approach this -- as you recall, when we did the amendments to 9-14-14 we changed it from a sit/lie ordinance to just an obstruction ordinance. So this takes 9.4.11 and does a very similar thing. It changes the heading, rather than being just camping, public areas prohibited, it says camping and obstruction in certain public areas are

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prohibited, because 11 is not geographically constrained and 14 is. I handed it out on this piece of paper when there were just three simple things. It has no camp on sidewalks anywhere. That would fit within this pretty easily. But the other one where you said, you know, no camp, sit, or lie within 15 feet of a doorjamb doesn't belong in either one. If it goes in here it includes more than just camping. If it goes in the other one it's a geographic area that's broader than just the downtown area. >> Kitchen: Right. >> Mayor Adler: So one way to keep it really simple, if you're goal is to just to keep it simple, was to take 9.4.11, make that camping and obstruction in certain public areas prohibited, and then to have language then that says in B, it's illegal -- it's an offense if the person is

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camping. I think what got handed out had camping, sitting, and lying but probably sitting and lying shouldn't be there, it should just say if the person is camping and either a. Materially endangering or B. Intentionally knowing or recklessly. And 2 could be if the person is camping, sitting, or lying, you know, in the area of the arch, which was the intent for that. And then C has the language that we talked about this morning where it said a person is deemed to be materially endangering the health or safety or -- it meets the two, a and B requirements. If the person is on a sidewalk or the person is within 15 feet of a doorjamb, camping on a sidewalk, or camping, sitting, or lying down within 15 feet of a doorjamb. I don't know whether that works. I haven't had chance to read it. It was an exercise done in my office. I don't know whether those provisions work that way. But if you did that that way in this then you don't have to make

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any changes to 9.4.14 because all of these things apply citywide. There's no camping on the sidewalk anywhere in the city, no being within 15 feet of a doorjamb anywhere in the city. The arch description says it's specific to the arch, it could be in that section. And then I think that we discussed putting in some kind of distance around shelters that might not be downtown. This says one quarter, don't be confused. That was something that was discussed as a distance. But in this draft, that's how this was treated. So 2a or B, fit within this. C, a, and B fit within this. So you wouldn't have to make any changes to 14 if this was all we were doing.

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>> Kitchen: I understand what you're doing here. Thank you. I appreciate you posting whatever way -- I appreciate you posting either amendments, or if you are going to propose a separate ordinance, that you post that to the message board tomorrow. >> Mayor Adler: Will do. In and if you have stuff to post based on conversations today, then I may have something to work off of. >> Kitchen: I will do that by no later than tomorrow. >> Mayor Adler: Get that to me, too, and I'll see if I can work with that. >> Kitchen: Okay. >> Mayor Adler: Yes, mayor pro tem. >> Tovo: Well, I mean, just based off this conversation, I feel the same that I felt back in September about where we were and the clarity that needed to be provided. And I don't know what more discussion has happened, honestly. I know there was a discussion, I had to leave that day.

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I know that we talked about it this morning. I apologize, I was on a school field trip that I had to cancel two weekends ago. I didn't want to have to cancel again. And so I appreciate, you know, the mayor providing some other options, because I can't support the current ordinance before us. And I feel like what I heard from this discussion was one person said I would pick the lesser of two evils. My assumption, they would pick this. I heard another councilmember say they appreciate more clarity by not being proscriptive, which is what I believe 29 and 30 do. So I just want to make sure we're not going into Thursday saying this is a surprise, where did this come from, mayor. Because I just don't want anyone to think there's any surprise that any of us, me especially, are in a place where I'm supporting something I wasn't

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supporting in September. I think there was a clear message in September that we weren't supporting something more restrictive. And I hope there is some other option if there is going to be the will to pass something. But I know I can't support 29 and 30 right now. And so I don't want this to turn into -- this came out of nowhere, because I don't think any other option came out of nowhere. I think all -- the majority have been saying we did the right thing. We think the direction is there. Maybe there's need for clarity. But I think what's before us now goes a little too far. >> Kitchen: Mayor, could I

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>> Pool: Lying should also include stringing hammocks, so you're not actually on the sidewalk, but you are lying even if you're elevated a few feet. If we eliminate 9.4.14, and we're not clarifying it, and it stands as it's currently written, and 9.4.11 only applies to camping. Otherwise I would ask why do we have two sections? One is a camping ordinance and the other is the sitting, lying, and obstructing the passageway. So I understand where you're going with that and you're looking for simplification. We

might end up with simplifying out some aspects of the amendments to the ordinance that the community has been looking for. And so it may be best that we not take up the document that was handed out, if you didn't -- if you hadn't actually decided to hand it to us, but we ended up with it. I'd like to just make sure that we are not clarifying out

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elements of the ordinance change that are in Ann's ordinance that I'm cosponsoring on, because that's what the community is (in.ecl) Because that's what the community is looking for. >> Flannigan: There are a lot of different communities in our city. I speak to community members that are looking for different things. It's not that clear. But I would say to councilmember kitchen, I'm somewhat ambivalent to what the base document started with. This is an amendment process or is this a substitute? Hearing from the mayor pro tem her perspective, I'm probably more comfortable with just doing a substitute. That way it's a little clearer what the options are. Because some of the changes that we talked about simplifying language, we've done that in the past through an amendment process. The amendments get really complicated with a lot of strike-throughs and red lines, part a, B, C and things are moving around, it's hard to keep track of

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it. So it might be simpler just to do a substitute or -- unless councilmember kitchen and others of your cosponsors if you feel like you're hearing more of a consensus on certain areas it might be -- you might want to take a first crack at that where you think there's consensus, where you're hearing consensus, and that might be a starting point. I'm kind of like just throwing out options about how to proceed. >> Mayor Adler: Okay. Alison. >> Alter: So I had a different point so I don't want to interrupt the flow of that, but I just wanted to clarify, mayor, the sheet that I have says no camp, sit or lie within 15 feet. And I heard some during the break you had taken lie out and what I hear from you your repeated statements lie is supposed to be in there

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and I want to clarify that because I think it's creating some worry out there and I wanted to clarify what your intention is. >> Mayor Adler: So I think in an abundance of trying to be helpful, because I ask everybody in my office to do that, someone was circulating wording today, because I had been talking about a document that was in front of me. So this document that was handed out and is now being handed out to your staffs today and is now being handed out to you at the dais so, as we can see, it had -- it took the existing law. It just added three findings at the beginning of it that seemed to be findings that I don't know if they came out of Ann's or where they came from, but it changes the name of the

statute, 9411, to be more than just camping. It changes it to be camping and obstruction in certain places. That's to make it consistent -- >> Casar: Mayor, I hate to interrupt you. I think you scratched words you didn't mean to scratch. Your description earlier

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verbally was that you scratched -- >> Mayor Adler: One more time. Okay -- >> Casar: [Overlapping speakers] >> Mayor Adler: I would make this change and I apologize for this. On the front page of this it just has [indiscernible], okay? Then it has the name change. So it has camping and obstructing, so it just makes it mirror kind of what we did. Then in the camping section it just -- the question had come up when somebody has personal property but they just sit down at the side of the -- on the sidewalk or next to a building, they have personal property, we didn't want that to have someone say -- claim that they were camping. All they had was their personal property next to them. So in the definition of camping it just makes really clear that that requires you to be storing your personal property for an extended or an indefinite period of time. If it's just sat down next to you that's not camping. It's just to make that

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clear. In the next section where you see B, that's the existing law, where we said under existing law you can see it says if a person is camping, that language was stricken and then in number 1 I meant to pull that same language down. I think. So what it would say is, one, is the person is camping. So that's where you strike sitting or lying. So on b1 it should just say camping. And that tracks -- that's what the existing statute says on b1. It just says "Camping." And then when you get down to two, this should be camping, sitting, or lying. I may have crossed that out on some of the pages I handed to people but this should be, b2, should say camping, sitting or lying and that's just in the area around the arch. Because we need to demonstrate to the community that we can do that in those

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areas. 2b just references shelters that might not be downtown. It says quarter mile there. I'm not proposing quarter mile. That's just a placeholder. So b1 says no camping, and a or B is materially endangering, rendering impassable or 2, the person is camping, sitting or lying around the arch. Then C goes to the language of -- Jimmy, I think this goes to what you said earlier about if we're going to clarify give examples of what something is, we can do that but let's not create new offenses and I think I've heard that from several people. So C just says that a person is deemed to be -- and this is the language you were asking about earlier, Ann. A person is deemed to be materially or endangering the health or safety of a person or rendering impassable or impeding if they're doing one of two things. Without

limitation. And this probably needs language that says without limitation so we have that. So without limitation, it

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would mean you camp on a sidewalk or you're camping, sitting or lying down within 15 feet of a door jamb. So this is a really -- the instruction to the manager is just this section that says before you move people away from the arch let's make we have a place for them to be able to go. So this was just a really simple way to do the three things that were on this page, and it was the simplest way to do the three things that I thought we wanted to do. >> Alter: But the answer to my question is that for the part about the 15 feet from the door jamb it includes lying. >> Mayor Adler: Camping, sitting or lying down, correct. >> Alter: Okay. >> Mayor Adler: As is the language on page 3 of this, where it's B, camp, sit or lie down within 15 feet of the door jamb. >> Alter: Okay. I'll defer to someone else.

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>> Mayor Adler: Okay. Greg and then Ann. >> Casar: I want to echo what mayor pro tem and councilmember Flannigan said, given that there's, like, eight areas-amendments that I had asked for and what the ordinance that's posted, rather than going through all eight of those, we could go through all eight of those but rather than going through all eight having a version where we just vote to -- if there is -- majority that doesn't want to move forward that and instead of move forward with the smaller changes, I'd prefer to have that as the starting place even though I'd vote to remove the word "Sit" from the door jamb component. >> Mayor Adler: Okay. Ann. >> Kitchen: Well, I understand what people are saying, but I am wanting to -- first off, councilmember Garza, all I meant, you know, by -- I'm sorry. I'm reading. Mayor pro tem, I was thinking more in terms of

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just wanting to know tomorrow so I could see whatever it was that where people were bringing, that's what I meant by "Surprise." And, councilmember Flannigan, the substitute -- and also councilmember Garza -- I mean, I'm sorry. I can't even speak today. So here's what I'm trying to say, is I would like to bring forward the resolution that we have had posted for quite some time. I would not like to bring forward -- I would not like to be in a position where there's a substitute, that we have to go back through and amend everything. I understand people's feeling that perhaps -- that perhaps there's a fair number of people that wish to not vote for everything that's in what my cosponsors and I have proposed, but we have proposed it. And we had it -- we've had it posted for quite some time. And I would like to vote on

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it. I don't think it's fair to say that someone is just gonna propose a substitute, and that that will cause less voting, because I would like to vote on every single item that we have brought forth because I feel like they were important. You know, we will probably do some changes based on what we talked about earlier, but I really don't want to be in a position where I'm -- so I'm going to say it now. I'm not going to support a substitute that is then used as the base. I'm happy to entertain as many amendments as people want. And as I said, I'll work with what people have suggested to bring forward -- you know, after talking with my cosponsors to perhaps bring forward some changes, and we'll do that by tomorrow. But this is the proposal as we're bringing forward.

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These are proposed areas that I understand that not everyone agrees with, and that's okay. Everybody has the opportunity to disagree, and everybody has the opportunity to vote. But I don't want to be in a position where we're not allowed to vote on what we put forward. The other thing I would just say, you know, I don't know if I heard you correctly, councilmember Casar, but you talked in terms of not wanting to have to go through all eight items. Well, I understand that. That's because you don't agree with all of them, and I respect that. But I do want to go through those. And so if we don't start with ours, then we're just gonna have to have a whole bunch of amendments on whatever is brought forward. And I really just don't think it's fair to say at this stage of the game that it's okay to just substitute something else that we haven't even really seen. I expect we'll see it tomorrow. I hope so. But we haven't seen it.

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>> Mayor Adler: Okay. Further discussion on the dais? Yes. Mayor pro tem. >> Garza: I guess I just have a procedural question because I don't know what exactly -- I can't support -- 29 is the ordinance, right? >> Mayor Adler: Yes in its . >> Garza: In its current form. Nor do I think anybody has the appetite to go line by line and making amendments and all of that thing. So I don't -- maybe the more efficient thing to do, if -- with all due respect, councilmember Kitchen, is to put yours forward and take a vote. I don't know what the procedural -- I can't support it like that, and then I don't know if that -- if that doesn't pass can you then bring the exact same thing that hasn't passed with amendments? >> Mayor Adler: Yes, we can do it just as we do for zoning things sometimes, we take a vote and someone has a motion that they want to do, and if it doesn't pass somebody else makes a

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different motion, we could do that. >> Garza: Okay. >> Mayor Adler: We could do that. That's one way to do it. >> Garza: I'd encourage my colleagues to maybe voice the desire for something like that now before we get into something on Thursday where it just kind of results in what happened in September. Because I'm trying to be efficient with our meeting time and if there's not an appetite to pass 29 and 30 I think it's important that we make that clear sooner rather than later. >> Mayor Adler: Okay. Leslie. .Alison. >> Alter: Thank you. So I actually heard a slightly different conversation earlier. I heard that there was support for clarification of the ordinance but a desire to make it clear that the clarifications we were making were in service to the two things that we had

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prompted before as the guiding principles of what we were doing, and so I think that was something that I mentioned earlier that I was comfortable with making that change and that those other things fell under that. And I'm not sure that among the group that supported that that there's not agreement on several of the eight things that we would like clarification on. I understand that there are several of us on the dais for whom that may not be true, but I heard a majority saying if we were able to rework it, which -- so it was clearer, the intention was to make it fit those two things, that we could move forward with those. Now, that does require us to redraft some things and to figure out some of the legalese and there will be some thinking that we'll need to be doing about where we can put the lying and we'll have to probably talk with legal about that, but -- and from our prior conversation on the 20th, I

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heard some folks saying that there were pieces of that that they would definitely support. So I'm not sure that the default is simply those three things. I think that there is some reworking, and that's part of the process that we should welcome as a council, is working together to come up with better legislation, and I think that's the value of the conversation in the work session. And the community is asking us to clarify. I think there is agreement that if we clarify we want it clarified in line with those two items, and I think there's definitely a way forward. I don't know exactly how this document was circulated. But I think its existence doesn't negate the fact that we had that conversation before and there is a clear way to do that, which may involve some of this. It may not. I haven't had a chance to read it, but I just want to make sure I'm not mishearing the conversation. I understand that mayor pro tem and councilmember Casar don't agree with that,

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but I'm not sure that the majority doesn't. >> Mayor Adler: Leslie. >> Pool: Yeah. I'm there, too. I think we are teeing up to take a vote on these ordinances. It's -- what's challenging about this role as elected officials, we have to make these policy decisions. We need to do them in public and we need to be accountable, and so I'm a hundred percent in on this effort from the get to the go and look forward to us having a successful conversation on Thursday and voting out an ordinance. That's what the public is looking for us to do. >> Mayor Adler: Paige. >> Ellis: So it is part of the process. Like another ordinance could be an amendment or kind of a revamp of the exact same ordinances that we know we're already talking about, have talked about multiple times in public. So it seems like if there is more consensus for the more

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concise clarifying document, I feel like that's where we should be starting instead of trying to go with a much longer document and arguing over every single line item all the way down. Because I don't want to be here until 4:00 A.M. Again. I know we're trying to be respectful of our staff time and city staff time. It seems like if there's more consensus on the document as you've laid out that we should be starting there and working on that. >> Mayor Adler: Okay. Greg. >> Casar: Last thing I'd say is, my understanding of Robert's rules on a substitute is that it is the equivalent of voting down one and voting for another. If there's the majority that says we don't like this one, that is a vote of the process for determining between two which one the majority votes down and which one the majority takes up. So I don't think it's -- it's not denying anybody the right to make a motion and second on something, but it's protecting the right of the majority of council to vote down something and pick something else. I do have to leave at 4:00 and I want to spend one minute on my item whenever

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we can. >> Mayor Adler: Okay. We can take a look at doing substitute motion. Requires individual consideration of both motions. If someone makes a motion and someone else makes a substitute motion you deal with the first one of those and go through all the debate and discussion people want to have on the first one, make all the amendments anybody would want to take and before you take a vote put it aside, pick up a second on a substitute motion, everybody makes all amendments they want to make until that's all done and vote on one of them. If that one doesn't pass you vote on the next one. If something gets passes that's what gets passed. If both of them don't pass then neither pass. Any further discussions on this? Yes. >> Kitchen: I just think that we might want to consider if there's a time certain that we want to do this or I don't have a preference, but I would be thinking afternoon. I mean, I just think we should say what we intend to do. Do you have a thought on

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that? >> Mayor Adler: I don't have a thought. My desire would be to handle this as early in the day as we possibly can. >> Kitchen: Okay. >> Mayor Adler: And to see how other things go. But I would endeavor for us to try to take this up as early as we could, and part of it will depend on how much we think there might be in controversy on Thursday. Maybe on the message board we can work through a lot of this tomorrow so that on Thursday we have a better idea where the consensus lies and what people are gonna want to end up doing. >> Kitchen: Okay. I think -- >> Mayor Adler: I'm sorry. Go ahead. >> Alter: I just wanted to -- I need to be in my district at the opening of the junior league building which is serving our broader nonprofit community, and I will not be back until 11:00, 11:15. >> Mayor Adler: What time will you be leaving? >> Alter: It's at 10:00, so I will be back as fast as I can from that. >> Mayor Adler: You're anticipating to be back about 11:00, 11:30 you

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think. >> Alter: Definitely 11:30, hoping for 11:15. >> Mayor Adler: Got it. Anything else before we move on. Councilmember Casar, you said you were leaving and you wanted to bring something up? >> Casar: Yes. I wanted to discuss the ace item today but I understand there's executive session folks have requested for Thursday so I won't discuss it. All I want to note is my sense -- I haven't gotten many questions. My hope and sense it's pretty uncontroversial so I've asked the large number of service employees that are interested in this item if they could actually convince their speakers. I thought they would consent it some but they've offered to just have one speaker so just one person talking. Which I think will save us time to make that most convenient many folks are actually get off their day jobs around 2:00 or 3:00 and go into their evening jobs after dinner so if we could bring them up between 3:30 and 5:00 to take the one speaker I think that will save us time. I want to be clear for anyone covering this that

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while many of us are workers rights advocates this item is specifically about protecting our interests at the hotel, financial interests, and guaranteeing ourselves there won't be labor disputes at the hotel. This is actually about protecting our financial interests at the hotel by getting the same sorts of agreements we've gotten at the airport and at the upcoming soccer stadium and the like so that's what this is about. >> Mayor Adler: Okay. And we'll be discussing this in executive session on Thursday. Anything else on that issue? Okay. >> Renteria: Mayor? >> Mayor Adler: Yes. >> Renteria: This is not having to do with the homeless thing, it's just there might be a possibility I'm gonna be asking for a postponement on the Riverside item because there's still a lot more work to be done, but I'll let you know on that. And I'll have to post it on the bulletin board. >> Mayor Adler: If you could post that on the bulletin board in advance of Thursday's meeting, if there's any way for you to

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know tomorrow. >> Renteria: I'll work on that. >> Mayor Adler: Or else we'll have tons of people showing up. >> Renteria: Sure. >> Mayor Adler: Pulled items. I don't know if Kathie is coming back or not. We just did item number 24. We've done items 29, 30, and 32. How about item -- item 24 we just discussed. What about item 8, 8 and 37? Let's hold that and see if Kathie comes back. Jimmy, what about item number 10? >> Flannigan: Item number 10 I posted on the message board. I think what you posted, mayor, is fine. I wanted to encourage a thought process with staff around whether or not the agendas for that second week might be severely limited so we're not doing full two agendas as we head up to a

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break but one agenda on the first meeting, limited agenda for the second so if we run out of time. I just don't want to load us up. We've got two overlapping agendas as a process. So I think that's just -- it's kind of a lot of staff discretion about what appears on agendas outside of ifcs. >> Mayor Adler: Okay. >> Alter: I had a comment. >> Mayor Adler: Yes. >> Alter: So I want to make sure I'm understanding the proposal for the budget hearings. It looks like there's a budget hearing on July 23 and then the fourth we're setting a max tax rate, is that, like, an actual meeting or is that, like, just to set the tax rate? So are we only planning on one budget public hearing according to this schedule? >> Councilmember, how we've had it in the past couple years there's one separate budget meeting, usually a evening hearing and then we

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have a day hearing that coincides with the council meeting. We can change that and don't have to set that in stone right now but certainly that has been the past practice. This would be the separately called budget hearing that's outside of our regular council meetings. If I'm getting that wrong, Katie, feel free to interject. I apologize. >> That's really about receiving public testimony. >> Correct. >> Flannigan: That's not a deliberative meeting. >> Correct. >> Hi. I missed the question running down here. If you could repeat it. >> Alter: I wanted to better understand the public hearing proposal. It looked to me like this is just saying one public hearing and so I wanted clarification on when you would be doing the second public hearing for it. >> The July 23rd public hearing date was the one date that I received from the budget office. And I think the only other date they were considering would be part of a regular

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council meeting, kind of like we did this year, I think that's what Spencer said. The 23rd would be budget only and then there would be another date that would be on a regular meeting as well. >> Alter: So we're gonna try and do our second budget hearing on the 30th when we have not had a council meeting since June 11? I'm concerned about that timing and us being able to actually pull that off on the same day at a time when people who want to come speak to us can do that. I'm not sure what the solution is, but maybe staff can think about that. The other concern that I have is when would you be proposing the budget? Because the 23rd people are commenting on a budget but when would we get the budget for people to know they want to comment on it and to have had time of any sort to think about it before presenting to us? >> We had a date but it's not in front of me so I'll get back to you on that.

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>> I think we had originally thought of the week of the 13th and 17th but then we found out about the democratic national convention taking place that week so Diane had a new date. I just don't have it yet. >> Alter: Okay. >> We'll send something around. >> Alter: Yeah. It does make it challenging, and I'm just concerned about -- >> July 13th is the date that I'm getting that was proposed for the manager's message. >> Alter: Okay. >> That would be a special called like we did this year. >> Mayor Adler: On what date? >> July 13th. >> Mayor Adler: Okay. >> Alter: Yeah. I don't really appreciate the state's changing this and making it so that it really compresses our ability to get any sort of feedback and do this in an appropriate manner.

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I would personally prefer to have a council meeting on the 23rd and the hearings the week of the 28th and 30th, myself, but just so that there's more time for people to think about it. Just throwing that out there. I don't know that I'll have a proposal per se for Thursday but maybe staff can think about that. And if we can note on the calendar when we think the budget hearing is so that people can plan accordingly, I think that would be useful. When do we have to call the election by if we were going to be calling for a tax rate commission? >> I should have memorized that but I have not so I'll have to get back to you. >> Mayor Adler: Fortunately, you have someone who has. >> So the drop dead deadline is the 70th day before election day, which falls on a weekend, which that pushes it to the next business day. August 17 is your deadline?

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>> Alter: So really that week has to be when we do budget. >> Right. >> Alter: Okay. And then I'm unfortunately not able to pull up the most up to date version. It was my understanding that the staff's proposal had changed simple the stuff that was going on in July and then the mayor had made some

proposals for changing February, shifting that two weeks, and then he's gonna be absent on the 23rd. >> Mayor Adler: I'm absent on the 27th, speaking at a sister city and a conference they've put together on the 27th so I would miss that meeting so I was recommending the 27th move to the 20th so you didn't have double meetings the 13th then would move to the sixth. >> Alter: I was saying the 23rd then you're gonna be absent so moving it allows you to be present for the two in February but then you're still gonna be absent on the 23rd. >> Mayor Adler: Right. And I was gonna suggest that we do the 16th, which is the one week agenda call. That way I could be there for the first meeting.

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But my staff pushed back against me on that. That would work for me to take the 23rd to the 16th, or you guys can meet on the 23rd, which is the first meeting of the year, but it's the U.S. Conference of mayors so I won't be here. >> Alter: I was trying to clarify. I knew you had obligations you needed to be at. Okay. >> We had the -- the only other difference between what we discussed at the last work session we also removed the council meeting the week of the election in November. Sop that's why you only see one meeting in November. >> Alter: Okay. Is the run-off date the 15th then or the eighth? >> We looked into that. There are three possible weeks that it could be. So we couldn't really plan around it. >> Alter: Okay. Great. Thank you. >> Mayor Adler: What are the possible dates for the runoff? >> All three of the first

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Tuesdays, the eighth, 15th, or the 22nd. >> Mayor Adler: Okay. >> I think it gets decided closer. >> Alter: But we can presume to either move the council meeting -- >> Oh, of course. >> Alter: The date at that point. >> Of course. >> Mayor Adler: What else? Anything else on the calendar? Okay. Let's move on then. Thank you for coming in just in case. All right. That gets us then to this item -- Kathie is back now, let's do item 8 and 37. Pulled by Kathie and Jimmy. Kathie, you want to kick us off. >> Tovo: Sure. Thanks very much. Thanks for holding off on it. I really wanted to get more clarifications, more specific projects within -- ideas of specific projects within their plan and and, for example, I'd like to know when the ambassadors program they're looking to

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create, as I understand it, with their assessment block by block ambassadors program and if you have information about when that might start, and then also I was interested in some more specific information about what kinds of projects they intend within public safety. >> Nicole with the economic development department. Sure. They just kicked off their block by block program. This commits to 32 hours a week Monday through Thursday, 9:00 A.M. To 4:00 P.M., and what they are trying to do is

remove debris, cleaning, trash removal, cleaning out the planter boxes. This is a \$84,000 commitment annually, and is only for one block by block ambassador. In terms of the safety and security, what they have secured is one to two officers on Saturdays at the peak time of retail hours for them to have an A.P.D. Presence in the area, also

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there's been an uptick in shoplifting so there has been -- the presence has been helpful with that. They have a listserv they communicate so the officer is present during those times and then also they're looking to expand that on Sundays. >> Tovo: Thank you for those details. Let me make sure I captured them. So the block by block program will be frontline 0:00 to 4:00 and just weekdays. >> Right now Monday through Thursday. >> Tovo: Thank you. That amounts to about one ambassador for \$84,000. >> Yes. >> Tovo: I ask that because from time to time we hear interest from other communities. They have an interest in the ambassador program, which I think does a terrific job in our downtown area and I expect will do a terrific job in the south congress area but I want to be clear it's not something the city pays for it it really is done through that special assessment. >> That's right. >> Tovo: That those businesses opt into. So one to two officers will be on Saturday and Friday? >> They're looking at expanding to Sundays. >> Tovo: Sundays, okay.

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Thank you very much. And then I guess my last very quick question, do you have a sense of when the infrastructure and physical environment projects will kick off? It sounds like some have but, for example, the public restrooms, what's the time frame on that one? >> So for the public restrooms they've been exploring a couple options. They would prefer not to go with the standard port apoty locations. They've been partnering with private partners and are looking to bring in a mobile unit that would be temporarily housed at certain locations but they've been looking at cost estimates for that and trying to determine if it would be better utilized for summer season or beyond. Their annual assessment, as you see in the five-year projection, is just nearing 250,000. >> Tovo: Right. >> So traditionally when we started the P.I.D. They had about \$100,000 to work with annually so now is -- based on new developments and redevelopment in the area that assessment is just now getting to a total that they have dollars to actually work with.

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>> Tovo: Thanks very much. And so when we had the downtown Austin P.I.D. Come through and the sixth street P.I.D. We had -- or service plan we had similar questions. I wonder if there's a way just to suggest to these entities when it's coming before council like the more details they can offer us about

the projects and how they intend to spend the money, potentially the dollar amounts, that would be just helpful information for us to have. >> Absolutely. And just on the horizon, you all will be provided an opportunity to weigh in on a P.I.D. Policy that will be inclusive of the development P.I.D.S and also the maintenance and operation P.I.D.S. Each of our P.I.D.S has a management contract where some of these details such as who the vendors are and how much they're spending is absent from what we require of them so this would be a good opportunity to review what our requirements are. >> Tovo: Thank you so much. >> Mayor Adler: Jimmy. >> Flannigan: I had very similar questions. The backup material provided by the entity that manages

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this P.I.D., these P.I.D. Dollars, I guess is how you would describe that, I always find it odd when I see a budget just divided into quarters. That seems like an odd approach. And so I really agree with councilmember tovo about want to go see a little bit more on this. But my approach more is that as we come out with this P.I.D. Policy, are we gonna see more definition about oversight requirements for the goals or metrics? I'm also curious, like, the entity that manages these funds, is there a board that is appointed that manages that? How is that process managed? I just have a lot of questions about our oversight role here. >> Sure. So the P.I.D. Policy right now we don't have a robust P.I.D. Policy. So staff is making recommendations based on those oversight with metrics, so those will be recommendations put forth to council in the near future. There is a board for each entity. It is a management entity so

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they do have a board of directors that represents the property owners in that area. And those rotate on and off with a set of bylaws? >> Flannigan: And those bylaws -- but it's like a nonprofit where they just kind of self-select? >> Yeah. >> Flannigan: The board members from the available property owners? >> They go through board elections similar to a nonprofit. >> Flannigan: But to be clear, a board election similar to nonprofit means you're just voting amongst the existing board members? You're not taking a vote of the property owners? >> They are required by state statute to inform property owners of what they're doing annually. And at that time we have limited details on what those meetings look like currently within our management agreements, but that may be time for improvements in that area. But what they are required to do is notification of the types of things that they will be putting into their service plan. So property owners are then having that opportunity to respond back to that board on, are those two thumbs up or two thumbs down on what those categories are.

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>> Flannigan: What do you mean? >> In terms of the property owners do have an opportunity to weigh in on the types of improvements that their dollars go to, so generally the boards send out notification to these property owners, saying these are the things we are going to tackle with this assessment. And the boards do provide an opportunity for those property owners to say yes or no to those types of improvements. But beyond that annual process, the city does not have a role in ensuring that is happening. >> Flannigan: Again, sometimes I feel like maybe I'm not asking the right question. >> Sure. >> Flannigan: When they put that out to the property owners, the members of the P.I.D., are they required to get 50% of the property owners to sign off on that plan? >> No. They're only -- the 50% of the percentage of property owners is only required when we're doing a reauthorization or a creation of a new P.I.D. >> Flannigan: So the feedback they're receiving from property owners is not formal. It's not a requirement? You don't have to reach a certain threshold. >> You're right. >> Flannigan: I think this is a really important question when we have P.I.D.S with our residents as well. I've got two neighborhoods in my district, I think

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maybe a few others have limited districts which serve like a P.I.D. But you actually get elected officials that represent the public in the community. So I'd be really interested in the policy conversation thinking about what that type of -- that oversight is for the members of the P.I.D. Or what it needs to fall back onto the council to provide that level of oversight. >> Good comments, thank you. >> As a time frame, councilmember, we are hoping to get that to both -- first audit and finance and full council by the end of the year so I think it's gearing up for the November audit finance committee meeting and then to council in December. >> Mayor Adler: Okay. Anything else on this topic? All right. We've taken care then of eight and 37, taken care of number 10. We took care of 24. That gets us to 28. Last item. Universal recycling ordinance. Pulled by councilmembers tovo and Flannigan.

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Kathie. >> Tovo: I had a couple relatively quick questions. I think these may be for the staff. I'm certainly supportive of the aim of it, to make sure that we're doing everything we can to bring in our multi-family properties and to make composting available to them, my composting started I guess two weeks ago and it's terrific. Very excited to finally be in the area that got included. So can you help me understand sort of what the time frame is for -- as I understand the resolution, it is not initiating the pilot. The pilot is planned to be underway. Is that correct? >> That's correct. >> Tovo: So what was the staff's intent in terms of rolling it out? What you do expect to roll out the pilot? >> So Ken, arr director. From a timing perspective, the pilot is supposed to be executed in the upcoming year. The fiscal. We haven't set a date yet. But it's designed to survey and review the performance

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in the multi-family sector. And so we're looking to start the programming for that. So typically what we would do is develop a cross-section of the various property types. That would include sizes of buildings, the makeup of the population of the buildings. So we're working on that right now, and I don't know if we have a date yet. >> We don't have a date, but -- Tammy, Austin resource recovery. We'll be looking at various geographic locations, income levels, things like that. >> Tovo: You're still developing that plan, which areas, complexes are included. >> Yes. >> Tovo: You're gonna get a broad array of -- >> Cross-section. >> Tovo: Great. And then -- so would it be your usual process to then come back with a recommendation? >> Yeah. >> That's correct. >> Tovo: Okay, super. Thank you very much. >> Mayor Adler: Mr. Flannigan. >> Flannigan: I guess I was confused about what the resolution is for. If there's already a pilot underway, like that's -- the process is already in

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>> The pilot hasn't started yet. >> Flannigan: But this isn't creating -- the resolution is not creating the pilot. You're already gonna do it. >> That's correct. >> Flannigan: At the end of the pilot you'll provide a recommendation to council. >> That's correct. >> Flannigan: About the pilot. So, councilmember Ellis, I think you're the lead on this item. Is there some other element to this I'm missing? >> Ellis: I think it's to be more involved in the drafting of what that ordinance is gonna look like. It's something my staff was already looking at with universal recycling ordinance and then it was on our agenda with staff that you guys were gonna be doing a pilot so we just wanted to be able to kind of marry the two thought processes together and see their results. And to be able to communicate with stakeholders like apartments who are already doing this voluntarily, and we thought that was a good blend since it was stuff obviously they have an interest in and I do too and especially the cosponsors, too, because there was a waste management working group that a couple of the other councilmembers had participated in, and I wanted to really make sure we were blending the best knowledge possible for this particular item because I

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think it's great. >> Flannigan: All right. >> Mayor Adler: Okay. Anything else on this item? Yes. >> Alter: Not on this item, a couple other items I wanted to raise. >> Mayor Adler: Go ahead. >> Alter: So I had a question on 33 for mayor pro tem Garza. I'm very supportive of making it easier for our staff to vote and for the city to do everything we can to support voting. I had a couple logistical questions I didn't understand. It said it's declaring a official holiday, is that every year when we vote it's, like, voting day, holiday, just like it's -- I don't know, xyz day, or is it like Independence day where people get a full day off paid? Vacation holiday? >> The latter. >> Ellis: But then there's also early voting and then there's more hours, and so I'm just a little bit confused as to how this is

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working. >> Garza: I believe the state law already requires a -- time off. I think it's, like, two hours, and I know that the city already had a policy in place that was, like, I guess an unwritten policy that allowed our workers four, up to four hours to vote. And so is your question will you essentially be getting both? Could you get the four hours and then the holiday as well? >> Alter: I don't understand how it works. So it could be read in multiple different ways, and I'm not sure that what we want to be doing is giving everybody the full day off on the voting day, and I'm not understanding if that's what you're trying to do or if we're saying everyone has the right to four hours if they need up to four hours to go vote during the early voting period or on voting day or something. I just don't understand what we're doing. >> Garza: It is -- it is supposed to be the entire day off like fourth of July, paid holiday. For people to have the ability to vote, and the

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resolution goes into a lot of history on how Texas has disenfranchised communities for a long time, and while there are many who do take advantage of early voting, there are people who can't, and so this is meant to hopefully also serve as an example for private industry as well to provide the day off for people to vote. And how it would work in practice, technically somebody I guess could take the allowed time by city staff to vote on early voting and then would still have the day off on voting day and hopefully -- and I believe it speaks to even if you're not voting on that day, you could use that time to somehow civilly engage in some way if it's not being used to vote. >> Alter: Do you have an estimate of what it costs the city to do this holiday? >> Garza: We've asked and we don't have an exact estimate, but we can try to

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get a number. >> Alter: Again, I support us trying to encourage voting. I just would like to know what this -- like a day and a half off for everyone in the city to vote sounds like an awful lot of money at a time when we're very constrained on our resources, and I'm just trying to understand and it wasn't clear from the language of the resolution that we were giving everyone a paid day off and four hours potentially. To vote. So, city manager, I think I missed the deadline for q&a so if we can get some answers to those questions, I'd like to better understand what we're being asked to support. I have no idea what a day off for everyone in the city costs. And I might rather say put that money into the census or something. I just -- I need to understand that better. >> Garza: Sure. Along those same lines we

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can have information on -- we have, you know, freeze days that it costs the city money when we have to close city hall or there's been other times when the city manager -- I don't know if city manager Cronk has done this but we've -- early dismissal so to speak we've done before because of things that have happened. So my assumption is there's some kind of contingency for it but I think it's a fair question. I guess I would just add the cost to disenfranchise and have disenfranchised people for a really long time I would say is a lot higher than whatever it would cost us to give our employees the ability and time off and set a good example for other governments and hopefully our state and our federal government and our private industry to -- it should be a national holiday. We should be given -- people should be given time off to vote encouraged in any way possible and that's the goal of this resolution.

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>> Flannigan: Mayor. >> Mayor Adler: Yes, Jimmy. >> Flannigan: I share some of councilmember Alter's concerns. I don't think a single holiday helps with disenfranchisement because a lot of the folks who find it hard to get to the polls are gonna have to work that day anyway, retail workers, part-time workers, those kind of folks. Early voting and making sure people have those four hours is definitely that way to solve that problem and making sure employers are following that law, which I believe it may only be two at the state level, but advocating for that. I don't think the paid holiday accomplishes the things we want to do because Texas has early voting. In states that don't have early voting that's a whole other animal. The mobile voting the state took away is disenfranchise a lot of folks, certainly seniors that were getting their one mobile voting day during the process. They're not getting those anymore and I talked to some

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of the senior living facilities in my district, the cost to get the bus to drive them to the polling place doesn't even work because half the residents may not be able to get on to the bus. And it just becomes a real challenge. So the mobile voting that the state did really disenfranchised older folks and folks with mobility issues. I like the four hours piece. I think that's great. I don't know that the day off really does the thing we want it to do. Although to describe it as a civic engagement day gives it a different feel to me, which makes it seem more interesting as a civic engagement day but I would really encourage the public to vote early. Vote early is the way to do it. The lines are shorter. The more time you can vote on a Saturday if you need to. There's a lot more flexibility there. My kind of charter question is, I can't recall seeing a resolution that amended

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personnel policies. I don't know if that's -- is that crossing the line for council into manager role? Or am I overthinking it? >> Actually, the council does do the personal policies. We just don't change them very often. >> Flannigan: Okay, thanks. >> Mayor Adler: For what it's worth I've been really impressed by the countries that have holidays when people vote and I think it sends a really strong statement about voting and I recognize we're kind of an island off to ourselves if we do that by ourselves, but sometimes maybe it's nice staking out that position. We make it that -- that much more important to do. So at this point I support the resolution. Further discussion? Are there others? >> Alter: I wanted to bring up 31 for the Rainey street district fund. Again, we kind of missed the deadline for the questions,

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so I'll daylight these now and maybe we can get them into the q&a late. I wanted to understand the -- and this may have been in a prior q&a. I wanted to understand the amount of money that we might be talking about, and then I also wanted to understand whether this is -- it sounded like the stuff that -- it was asking to be invested in is all money that we could be spending hot money on. And so I'm just concerned about -- I'm not -- I think it would be great to invest more money in that area for some place making, but I don't know that I want to tie our hands for money that's flexible when we could spend less flexible money there to accomplish the same goals. So if we could figure out if hot money could be eligible and how much money we're talking about, I'd

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appreciate that. >> Mayor Adler: Kathie. >> Tovo: I can give a quick answer to both. I believe it has about 100,000 in the fund currently and it's my understanding it would be about a hundred thousand a year, but I will ask the staff to treat that as a q&a. I think we may have that answer in previous discussions, though maybe not prospective, what the staff have estimated it would be. I'm not sure whether that was in a formal q&a. And, yes, I think probably any of the projects would be also eligible for hot funding, so you're right that we could probably fund a lot of what's contemplated in this -- in the description through hot funding. You know, this is -- we talked about the history of it last time it came up and also in the context of the palm district master plan. I see this as an important commitment that was made by the council that we are honoring. It's not -- it is not that

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there aren't potentially other sources of funding, but this would create -- this would recognize the commitment we made to create that ongoing stream of funding for those kinds of projects. >> Alter: So I'd appreciate having the information on the amount of money. I had remembered it was more on the order that if we had actually done it it was on the order of several million dollars, not a hundred

thousand a year so I really need to understand the magnitudes that we're talking. Thank you. >>

Councilmember, we'll put that in a q&a. >> Mayor Adler: All right. With that I think we're done. It is 444 -
- 4:24 and this meeting is adjourned. [Adjourned]