

# City Council Work Session Transcript – 06/09/2020

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[9:04:13 AM]

councilmember kitchen, councilmember pool, councilmember Paige, councilmember tovo. Kathie, we can't see you. Can you see or hear us? >> Tovo: Yes, mayor. Mostly. I'm working on getting everybody up, but I'm here and will have to be on phone for a few minutes. >> Mayor Adler: That's fine. Mayor pro tem, are you here? >> Garza: Yes, I'm here. Can you hear me? >> Mayor Adler: I can. So we're missing at this point councilmember harper-madison, councilmember Renteria and councilmember Casar. I think that the others are

[9:05:13 AM]

here. We're going to go ahead this morning and begin with the briefings. We're going to start with the covid briefing and the briefing on redistricting. And then the briefing on street impact fee policy development. We'll go until about noon and we'll break for lunch. Hopefully we can get the briefings done before then, break for lunch and then come back, do the pulled items. The pulled items are the items 50, 93, 94, 95 and 96. Don't know if anybody is pulling anybody else, but those are the pulled items, and then we will then go into executive session. That's the process for today. By way of housekeeping, people are signing up to speak at Thursday's meeting. It looked like those five items that are pulled today

[9:06:14 AM]

are attracting many of the same speakers who are signing up, so consistent as close as we can with our regular rules, at 9:00 -- 10:00 on Thursday we'll call speakers on the agenda. Everybody can speak one time on the items pulled. I'm going to treat the speakers for those five items, 50, 93, 94, 95 and 96 as a batch together and the first 20 speakers will speak for three minutes, the others for one minute. Based on the number of people that are signing up, it could easily be that on Thursday's meeting it could be we start at 10 and be listening to speakers until mid afternoon before we can start deliberating on anything. But that's the general procedure that I'll follow.

[9:07:20 AM]

>> Renteria: Mayor, I'll see you. Let's go ahead and begin with the first meeting. Manager, do you want to take us through the covid briefing. >> Thank you T mayor, council, community members. We're going to start with a briefing on our covid-19 response and we'll be joined by folks from our health departments. We do not have director Hayden here with us today, but we do have assistant director Adrian stirrup so I would ask Adrian to say a few words and then she will pass to Dr. Escott. >> Spencer, can you hear me? >> We can. We'll come back

[9:08:22 AM]

to Adrian later, but we'll go right to Dr. Escott. >> Thank you, mayor, council. I'm going to provide you a brief update in relation to covid-19. If you could transition to the next slide, please. So this is a graph of new confirmed cases in Travis county. You can see by about the middle of may we've seen a steady increase in the seven-day average, the yellow line going from just over 40 cases a day to now a little over 60 cases a day. Yesterday we saw our largest increases in the number of aces, 118, but we had a decrease on Sunday and Saturday before that. So the net is relatively neutral effect over the past seven days. You can see we've had a slight increase in that seven-day moving average as a result, but not much. Again, we'll continue to follow this trend. We are doing a lot more testing now, which I'll get into in just a few minutes.

[9:09:28 AM]

This slide is showing you the seven-day moving average of our doubling time. You can see that early on back in -- in March we were doubling very quickly and as time has progressed we've had a relatively steady increase in that doubling time. So this is the estimation of the time it will take to double the number of cases. Right now we're at about 44 days. And again, as that cumulative number of cases increases we can expect that if we have a relatively steady number of new cases then we'll continue to take longer and longer to reach that doubling estimate. So again, this is a positive trend and we will continue to follow this and report it this as well. This is also on the key indicators dashboard that is

updated daily. Next slide, please. Our primary key indicator is this seven-day moving average of the new admissions in the five-county msa. Again you can see that we've had a relatively steady

[9:10:29 AM]

increase since about the 22nd of May and that's oscillating a little bit now, around 12 cases a day. We did see a substantial we had a one day with 18 new admissions, but that has come down. I will say looking at this data in further detail, about 14 to 15% of cases are one day or less in the hospital and about 50% of cases are five days or less in the hospital. So we do see a substantial number of cases which are really short admissions to the hospital, but we do have some cases which are much longer, extending out past two months. We're going to look at that in further detail at those hospitalization trends and the length of stay and we hope to report back on that in a week or two. Next slide, please. This graph is showing you three things, our seven-day

[9:11:29 AM]

moving average, hospitalizations, ICU admissions and ventilation patients. So the blue is the hospital admissions or the heads in beds that are being filled. You can see that we had an increase for quite some time. That's come back down again, maintaining steady around 85 to 90 hospital designations per day in that moving average. The ICU patients have been steady as well. Our ventilation use has increased a little bit over the past week or so, but again we still have plenty of capacity in our hospitals and our ICUs and plenty of ventilators right now. I do want to remind council as well as the public that if people have been delaying care because of the concerns about hospital capacity or COVID-19, it's important to understand that there's plenty of capacity. That the hospitals and doctor's offices have enough

[9:12:30 AM]

people now that they can take care of people safely. And we don't want people to avoid necessary preventive care in terms of immunizations and physical exams, but we also don't want them to delay when they have other serious concerns such as chest pain or shortness of breath or lightheadedness or dizziness. We have seen some increases in emergency care which indicates there may be a delay going on and continuing. And it may be due to a number of factors, including the financial concerns with COVID-19. But it is critical that folks who need medical care, if they need it or hospital care they seek it out and not delay. Next slide, please. This is an update of the hospital demographics as it relates to hospitalizations in the past seven days. The week I'm going to talk about is the June first through the June seventh. You can see from this we've

[9:13:31 AM]

had a slight decrease in our rate of hospitalization for people who have identified as hispanic, which has dropped to 58.8%, still overrepresenting our latinx community. Our individuals who identify as white non-hispanic increased to 25%. African-American relatively steady at 11.3%. And our Asian community at about 1.3%. Again, there's a lot of activity going on to target our latinx community and we are continuing to work on targeted testing in areas that will be helpful to identify new cases. And we are in discussions as well with the state regarding an offer of support to do further testing, including walk--up testing in some communities that may benefit from further testing saturation. I'll talk a little bit more about that in just a couple of slides. Next slide, please.

[9:14:33 AM]

This graph is showing you the payer mix for our hospitalized individuals. I want to point out the blue in the top left, 31.2%. That's the percentage of uninsured or self-pay who have been admitted to the hospital. Again, the estimates that we have range from 14 to 17% of our county is uninsured. And again, this indicates that not only are hospitalizations affecting our communities of color, it's also affecting those at poverty. And again, they are substantially overrepresented in the hospitalizations and we will continue to follow this trend as well as work on providing a timeline trend related to payer mix. Next slide, please. This graph is showing you the weekly confirmed cases. This is updated from last week.

[9:15:33 AM]

It shows an increase of five new cases compared to last week. So relatively marginal increase. You can see that we've had a steady increase over the past four weeks and again we will continue to follow these cases. You know, we can tolerate small increases like this. Our hospitals can tolerate, our icu capacity and ventilator capacity can tolerate it, but we are looking at the seven-day new admissions and we have to keep it below 20. That's going to require us all to stay engaged and those cases such as social distancing, the public wearing a mask and the personal hygiene such as washing your hands frequently and not touching your face, those are critical to reopen things successfully and we'll continue to positively impact our community if we can continue those efforts.

[9:16:34 AM]

Next slide, please. This is an update of our nursing home and long-term care facility spreadsheet. So you can see that we've added some new nursing homes related to the statewide testing of facilities. We have dropped two additional facilities off the list as they've been cleared. And you can see that we have

three additional facilities in gray that have gone three weeks without any new cases, which will fall off next week if that trend continues. Overall we've had a manageable run of new cases, 14 new in the past week. That's a positive trend which we certainly hope to continue to see. We are working with a number of stakeholders for a long-term strategy. If you recall last week, our positivity rates or the mass testing we did were very low, less than one percent positive. Now we're working on a longer term strategy to make sure that we're detecting cases in a -- in a rapid way

[9:17:35 AM]

so that we can head off outbreaks. But also we need to make a plan that's sustainable. And part of that discussion is looking at new technology, which may be less expensive, as well as less inconvenient for the residents and staff of nursing homes. And this would be things like saliva testing. So working with a local company to look at this technology and see if we may be able to apply it in institutional settings particularly places like nursing homes. Next slide, please. We've got a couple of slides about our testing efforts to give you an update. So since our public testing enrollment began through Austin public health we've had more than 18,000 individuals who created accounts and under took an assessment. Since that time, 4-24, we've had more than 15,000 tests offered to individuals. And as a result of

[9:18:35 AM]

increasing community activity, including memorial day, including our protest activities, we've lowered the bar as far as the -- we've lowered the bar as far as the requirements for getting tested. So now individuals who have been involved in activities that may place them at higher risk such as public gatherings, can get tested. And therefore in the past three days we've had more than 3900 individuals sign up to get tested. So we are testing record numbers of people over the past week. We are offering tests not only to the public, but to our first responders who have been out at these activities to ensure that we have a large amount of screening and we can detect cases as quickly as possible and mitigate the risk of a large spread based on these activities. Next slide, please. WHE we look at the results of this testing over the past seven days, you can see

[9:19:36 AM]

that we've had a 9.2% overall rate of positivity, which is a substantial increase from a few weeks ago when we were at around three to four percent positive. You can see that there's substantial variation based on race and ethnicity with the highest percentage positive being our hispanic population at 17.9%. Again, we saw an increase in our white non-hispanic population and our African-American population as well in terms of rates of positivity, but we are still concerned about this trend which is continuing in our latinx community and are continuing the advocacy process for not only getting folks

tested, but ensuring that they are aware of the availability of isolation facilities to separate themselves from their family to limit the household spread and further engagement with employers to ensure that they are providing protections to

[9:20:37 AM]

their employees as well as providing avenues to point them to testing if they become symptomatic or if they're exposed. Next slide, please. Finally, this is a project that the team has been working on to gis map the testing efforts through Austin public health. The data that you're seeing now is just our public enrollment process. We are in the process of bringing in data from community care as well as other stakeholders who are doing testing in the community such as Austin regional clinic and our hospital systems. So that we have all the testing represented on this map. Right now what this is showing you is the shades of purple are based upon the intensity of testing performed in those zip codes. The darker the shade the more testing that's being performed. The red dots are showing you the size of the positive activity in that community, the number of cases. So the larger the red dot, the larger the number of positive cases.

[9:21:37 AM]

This is a live map and this will be part of a public-facing dashboard that we're putting together in relation to testing so that members of council, the public, can go and look at their zip code and it will tell you not only the rights of positivity, but also tell you the numbers of positive tests in that particular area. We intend to utilize this data to help us target testing in zip codes that have both a high rate of positivity and a low rate of testing so that we can assure that we fill those gaps adequately and provide appropriate levels of testing with a goal certainly to get the positivity rate below 10% and hopefully closer to five percent so that we can ensure a inform approach to testing across the community. That concludes my presentation. I'm happy to pass it back to you, Spencer.

[9:22:38 AM]

>> Thank you, Dr. Escott. I think we do now have assistant director stirrup on the line and she was going to provide a few more remarks and then we'll open it up for questions. >> Good morning. I apologies for the technical difficulties earlier. My name is Adrian stirrup, Austin public health and I'm reporting on behalf of director Hayden today. Just a few more comments to add to Dr. Escott's remarks, commenting on the activity of the social services branch with respect to homelessness. All four of our pro lodges are operational and at capacity. We have a few spots reserved for high risk discharges from the isolation facility. Integral care continues to provide on-site behavioral health services at all pro lodges. Our community partners, downtown Austin community court, front steps,

[9:23:39 AM]

Salvation Army and integral care, are all working to provide housing focused case management for those individuals. While we don't have immediate plans to establish a pro lodge five, we're currently watching trends and hospitalizations in the community so we can respond accordingly. We continue to work with community care and Dell medicine on focused testing of the homeless population, both in shelters and encampments. To date over 500 tests have been administered through focused surveillance testing of shelter residents and staff as well as unsheltered individuals with fewer than 10 positive cases. The city has deployed the mobile shower trailers, working with the other one foundation, in addition to portable toilets, hand washing stations and dedicated permanent hygiene facilities. We will continue to partner with the food bank and other

[9:24:40 AM]

community partners to provide thousands of prepared meals and shelf-stable food bags every week. Included in the bags are facemasks, hygiene supplies, drinking water, [indiscernible] As needed, regional fliers and most recently census educational cards. We continue to partner with the office of sustainability on the eat program, eating apart together, to provide those meals for unshelters homeless. Turning it over to childcare, we continue to work with EdD on third-party contracts to support the needs of childcare workers. We continue to update the website to provide links and resources for childcare providers as they begin to expand their operations. And we've also extended that to summer camp facilities. A lot of camps kicked off last week and we were able to provide some good

[9:25:43 AM]

guidance. In terms of getting information out to the community, we continue to partner with kazi. You may be aware that Austin public health sponsors a weekly show entitled health talk and we use that platform to push out information to the community. Currently we are researching options for clear masks for teachers, infants and young children. And we continue to provide health and safety supplies. Another thing that we're working on is the unaccompanied minor policy. It's currently being reviewed by city and county legal and this is a situation for childcare where the parent needs to be hospitalized, but there is no family support for the child. One good piece of news is that our Spanish covid-19 website is now list as of yet. So this is just one of the many methods that we are

[9:26:44 AM]

implementing in order to make sure that we're reaching the latinx population most effectively. The branch as a whole continues to provide guidance to eoc operations with respect to language access, language justice issues, and efforts that meet the needs of priority populations. Working in concert with the equity office we're really trying to get to a place that our planning efforts are designed with the least amount of barriers in line so that we have the most effective response for all involved. I do not have any other comment at this time and I will pause for questions. Thank you. >> Thank you very much. That concludes the presentation from Austin public health on the covid-19 update and we stand ready for questions from the council. >> Mayor Adler: Can you hear me? >> We can.

[9:27:46 AM]

>> Mayor Adler: Just real quick, I understand and it's exciting to see the dashboard going up for testing. Dr. Escott, do you know H that will be up for where people can see both that graph that -- the chart that showed where cases were being found and where testing was being administered? >> Mayor, I believe the goal from the gis team is by the end of this week. There's still some technical issues that we are trying to work through. We have expecting data feeds from the hospital system as well as the other stakeholders who are part of our testing collaborative to come in this week to give us a better representation of the actual situation going on in relation to testing. >> Mayor Adler: That's good. By the way, to that team, the two dashboards are up, the one that has the graph and everybody in the community can watch the new admissions. Those two dashboards that

[9:28:48 AM]

are up are done. So thank you to the team that worked on those. I understand that the spanish-facing website went up yesterday. Where can that be found? Do we know what the url is for that? Adrian, I think you mentioned that. I don't know if you know where to find that. >> I do. It is the direct link is <http://austintexas.gov/covid-19-sp>. And I can send that out in an email. >> >> Mayor Adler: Would you do that, send that out and make it easy for people to forward that. >> Most certainly. >> Mayor Adler: And I understand that there's going to be a community

[9:29:49 AM]

opportunity that is latinx centered on Saturday. Is that -- that's open to the public. Did the that begin at like 1:00 in the afternoon? Do you know? >> Let me double-check on that. I had in my mind that it was 10 to 12. We do have an additional planning meeting this afternoon where we're trying to work out the technology kinks to make sure that we can be as inclusive as possible. It is latinx centered and we will to make sure that we have all of the interpretation supports in place. But I will forward the flyer to this group as well if that's appropriate. >> That would be great if you would do that too. If that can easily be



sent as well. And then associated with that I understand that there's a draft latinx strategic planning approach

[9:30:51 AM]

document that happen the equity office will take a look at, but I want to make sure that gets out for the community to look at well in advance of the meeting on Saturday. So if they want one to comment on that, they have to be ready to do that. Do you know when the -- when that draft of the latinx strategic is going to be something that is out to the public? >> We can certainly make that available today. It has been reviewed by Dr. Escott as well as the folks in cpio. And so making a final pass with city manager chronic and acm shorter and then we will send that out. >> Mayor Adler: That would 'great if you could send that out to me and all my colleagues as well. >> Mayor Adler: All right. Does anybody have any questions? I'm having a little technical issues here where I can't see anybody because

[9:31:52 AM]

I can't get to the overall screen. So jump in if you want to say something. >> Ellis: Mayor, I had a couple of quick questions. This is councilmember Ellis. I wanted to see if we could get a reminder of the website for people who want to apply for the free testing. I think that link lives on the main covid page, but is there another direct link if people still needed to create an account and did their questionnaire to sign up for the free test? >> It's on the main page. I'm sure there's a direct link, but I don't know what it is. We can certainly get that to you, councilmember, for you to share. >> Ellis: Okay. I seem to remember if you go to the [austintexas.gov/covid-19](https://austintexas.gov/covid-19) that I think the link lives there. And is there an estimate of how long it takes if you are shown that you do need to

[9:32:52 AM]

get a test how long the wait time would be to be able to go to one of the testing sites? >> I can check with the team. In normal circumstances it's usually the next day. Because we've had such an increase we've had to increase the hours. There may be a day or two wait in order to get that testing, but I'll check and see if I can report that back to you. >> Ellis: Okay. And generally we have sites all over the city, right? I know there was some issues early on with making sure that there was some availability for the testing sites kind of closer to all districts or all parts of town. >> Currently we have one testing site for the public drive through at St. Johns. We have one for our public safety, our first responders and city and county employees, and there are a number of other sites through community care, Austin regional clinic and

[9:33:55 AM]

other partners. One of the things we're working on for that, that dashboard for testing, is a map where folks can see all the different locations that they can go. We are exploring some other options in terms of adding additional sites through targeted testing, walkup testing and we do anticipate to have some modifications of that testing strategy in the coming weeks. >> Okay. That's helpful, thank you. >> You bet. >> Kitchen: Mayor, this is Ann kitchen. Shall I go ahead? >> Mayor Adler: Yes. >> Kitchen: So Dr. Escott, I have a question about the nursing home dashboard. And this may be something that needs to be checked on because I know that director Hayden is working on it. But we passed the resolution related to nursing home actions -- long-term care facilities actually, the reporting process, and we had some discussions with public health about putting

[9:34:56 AM]

forward on the dashboard the information, you know, sore that we could see the tracking of testing, of task force [indiscernible] Nursing homes. And actually as you know, the resolution was long-term care facilities and provided for testing of assisted living facilities as well as norms. So I'm not even -- I haven't even seen any data yet about assisted living. I want to highlight that and it's been a couple of weeks now and we still haven't seen this dashboard. So my office [indiscernible] And highlight that. So that may be for you, for public health that I can follow up with -- with director Hayden or I'm not sure who is working on this issue. But I wanted to highlight we haven't yet seen any of that

[9:35:56 AM]

information on the dashboard and we don't yet have the nursing home dashboard. So we can take that offline, but I wanted to highlight I've been trying to work with staff to get that done for a number of weeks now. >> Councilmember, I'll certainly visit with our nursing home task force as well as our data team to see where we are in that process. You know, we've had -- they've been working on the testing platform ensuring that the sales force piece of contact tracing are put together and that's the same team that would be working on the additional dashboard. But I'll follow up with the team and get back to you and your staff this week regarding a time frame for that. And certainly I can get you the data that the you need in the meantime. >> Kitchen: Well, it's not that. I appreciate that. I appreciate that.

[9:36:56 AM]

Just like the other data we're putting on the dashboard, this is important for the public to see. And I had sent them some thoughts or some suggestions about which data to track and how to track it. And so it's

already data you're tracking I understand, so it may be just putting it together. So I'm happy to work with you offline. I just wanted to highlight that's something we've been asking for for a number of weeks and I think it's important for transparency purposes and for families and the people who are working in these facilities to be able to see this data. So -- and if there's anything we can do to help, we did send questions about how you might do it, just suggestions, and it was in the resolution that we passed. So its second question I have is just a confirmation on the fact that I heard

[9:37:58 AM]

that there were spots reserved at pro lodges for people discharged from the isofac facility and I wanted to say thank you. I know that there was some work done to address discharges from the isofac facility. And that's just in line with the goal for our council and actually for staff. As director Hayden has stated many times, that goal is that people -- homeless individuals are not discharges to the is street from the isofac -- a isofac stands for icization facility, and not discharged to the street from the pro lodges. So I wanted to say thank you and recognize publicly that an issue that we had experienced related to discharges from the isofac facilities seems to be addressed here and so I wanted to say thank you for that. And again, confirm the

[9:38:58 AM]

commitment to making sure that our homeless individuals are not discharged back to the street from the isofac facility or from the pro lodges. So thank you for that report. I think that was Adrian. Thank you for that report. >> You're welcome. Thank you. >> Mayor Adler: Okay. Again, a reminder, we're going to lose Dr. Escott et Al this morning because they have to make a preparation at the commissioners' court. Everybody, so does somebody else want to ask questions? >> Tovo: Mayor, I have a few. >> Mayor Adler: Go ahead. >> Tovo: Thanks. It's councilmember tovo. Thanks for the information about the pro lodges. -- [Indiscernible]. Can you hear me? Mayor? Mayor, I'm not sure what you said. >> Mayor Adler: Could you

[9:39:58 AM]

get a little closer to the microphone. It's hard to hear you. And now we can't hear you. >> Tovo: Okay. I'll talk lewder, thank you. I wondered if we could get some more specific information about how many individuals have exited the pro lodges and whether -- and how many have exited -- and where they have exited to? Are they in permanent housing now? What kinds of numbers might you have at this stage? >> I can definitely reach out to staff and get that information for you and the rest of the council. >> Tovo: Thank you. And assistant director stirrup D provide wuss a number of how many individuals are being served through the eat program? I think you may have but I didn't capture that number.

[9:41:02 AM]

>> I do not have the total number served, but I can get that for you, but I know the contract is for 1,000 meals per week. >> That was the number I was looking for. And are you finding that the capacity is matching the demand? What kind of demand are you having versus the number of meals that we have a contract to serve? >> I believe we're in a good place. One of the decision points that we talked about this week now that agencies are opening back up, getting a sense of those other agencies like caritas and folks that provided meals in downtown area, how they imagine their operations to be. And then we would adjust accordingly. But we are working on extending. We just need to have a good idea of what the need will be going forward as things get back to business.

[9:42:02 AM]

>> What was the contemplated end date for the eat program? >> June 12th was the date, but I've already talked with Edwin and we are going to make arrangements to extend beyond that time. >> Do you know -- >> Tovo: I guess you had a million dollars of capacity for all food assistance [inaudible]. Do you have an update for us about the status of the del valle caregiver meals? >> I do not, but I know that Edwin is working on that for this afternoon's meeting with the social service cabinet and I will be sure that we share that information more broadly with the full council. >> Tovo: Okay, great. I think that's my last question for right now. Actually, one for Dr. Escott. You referred to the walk-in test sites. What is the time -- I think I heard you say that you were working on getting one up? But if somebody doesn't have a vehicle, what is their --

[9:43:03 AM]

what options do they currently have for getting testing? >> Yeah, we're still working on the walkup testing sites. We have a contractor, a private vendor that we're working on as well as discussions with the state, the Texas division of emergency management who supporting walkup testing. There are a number of test sites available through community care and private partners including CVS locations around town where folks can get tested. But we are still challenged right now reaching out to those who lack the ability to get to sites to do that. So we are working on that. I can hopefully get a better timeline on that by Thursday to share with you and council. >> Tovo: Thanks very much.

[9:44:04 AM]

>> Garza: Mayor, it's Delia. I had a follow-up question about those walkup clinics. Are the community care -- do we [indiscernible] Information on our covid site, is that right? >> I'm sorry, councilmember, you broke up a little bit. >> Garza: Do we have -- for the walkup you said that community care does have walkup sites. Do we have that information on our website to direct people to those -- to community care? >> I'll pass this to Adrian. I believe that we do have links to community care's services on our main covid-19 website. >> Yes, under the community resources tab we have that

[9:45:04 AM]

information about community care sites that offer testing. >> And are those free or sliding scale which can mean free for people who can't afford it? Do you know? >> Their testing is free, our testing is free. Our assessment is free. There are a number of other providers around town that may have some charge to it. Generally speaking for folks with insurance, the insurance companies, including CMS, are covering with no deductible. So it's important for folks to understand that piece as well, but the -- the city and county testing options are all free at this stage. >> So community care does have walkup sites and we have that information on our website. >> I don't know about walkup

[9:46:06 AM]

versus drive-up because they have a number of different sites and I think there's some variability. So my advice would be for folks to go to that link and communicate with community care regarding the different services at different sites. >> Garza: Okay. And is that -- for Adrian, is that information as well on the bilingual site? The walkup sites that community care offers? >> I do not know, but I will check and if it is not I will work with the joint information system to make sure that it is. >> Garza: Thank you. Those are all my questions. >> Mayor Adler: Okay. Anyone else? >> Casar: Mayor, I've got a question. >> Mayor Adler: Go ahead, councilmember Casar. >> Casar: A bit of a data request and it seems y'all already have it, but from your last slide, Dr. Escott,

[9:47:07 AM]

you showed zip codes and they became darker in shading as they had more shading and then had you circles that showed the amount of testing in each. I assume, and tell me if I'm wrong, that the ratio, the - if a zip code is darker shade, but has a smaller and smaller circle, that that might show something concerning where we aren't doing as much testing based on the amount of positivity we're getting? I wonder if y'all could send to us or give us the actual raw numbers and show us if it is actually useful to the public. So this is where I'm interested also in your input, for us to know, to be able to know where our ratio is off and where we aren't getting as much testing, but are seeing a lot of cases and comparing

those numbers. Is that a useful number for us to be looking at when we're trying to track where we may not be doing enough

[9:48:08 AM]

testing? >> It is, councilmember. But let me clarify that the -- if it's a lighter shade but a larger circle, that means there's more cases with less testing. Those are the areas that we're concerned about. And there does seem to be a concentration of that in southeast Austin. The caveat to that is this is only Austin public health drive-through testing that's showing up now and there's a lot more testing. There's more than 10 times the number of tests we're doing, which are being done across the community. So we only have a small piece of the information at this stage. Once we get community care's data in and other big players -- the biggest player so far has been Austin regional clinic. Once we can get their data populated in that it will give us a better idea of where we really have gaps and where to fill those gaps. >> So larger circle, lighter shade is more of somewhere

[9:49:08 AM]

where we recognize we need to do work. >> Yes. >> Casar: Potentially, once we get the other data, then it may become much more useful. Thank you, that would be really helpful because I think that helps orient the community and us. Right now we hear anecdotally from individuals who might have trouble finding testing or look at a map and find the public and private testing sites, but to have the hard numbers up, where are we seeing cases and less testing, will that help orient our efforts? And it doesn't matter whose corner of the city it is, we can see the data and move the resources there. I would appreciate that. >> Councilmember, if you don't mind I also want to point out that the way this data should not be interpreted is that the risk of getting infected is higher in the areas with the bigger circle. Because what some folks want to do is they want to say oh, I shouldn't go to that

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part of down because they've got a lot of cases. That tells us nothing about where the people were infected. It only tells us where they live. And it should not be used to determine what parts of town are safe versus not. That's not what this data showing and I want to make sure that was clear. >> Casar: Absolutely. And it's unfortunate that really what it shows is segregation of our own city that we can identify so clearly where there are people that are at higher risk live in particular places. But given that, we should use the data that we have. And then the other piece of information that I know y'all are working on and I'm interested in when or if you think we can get better information is amongst those hospitalized, how many of them are coming from spanish-speaking communities? Because I'm glad we

put up a spanish-speaking site, but how much do we know that that is a core of the issue or how much of it is coming

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from construction in particular? Those -- do we have a better handle on that kind of information? >> Councilmember, worry we're working on adding the investigation piece to this form so we can track better who's using Spanish versus another language as the primary language in the household. The team is also working on helping determine community spread versus household spread so that we can have some better data to determine where the [indiscernible] Are now. It does seem like we are getting an index case within a household and then it's spreading easily to family members within that household. We also know that as the size of the household grows, so does the percentage in poverty. And we have something like 25, 27% of households that have seven or more people

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are below the poverty level. And there's certainly a correlation based on increasing size of households. So that's a challenge for us and this is why we're really encouraging the community to -- if they do get sick to separate themselves, to use that isolation facility so we can break that cycle of that household transmission. >> Casar: Thank you. >> Mayor Adler: All right, colleagues. Anyone else want to ask any questions? Okay. Dr. Escott, Adrian, thank you so much for being with us today. >> Kitchen: Mayor, I wanted to say one other thing. I just wanted to thank you both and again thank the staff. Y'all have been consistently doing a lot of really difficult work, really fast. And 24/7. So the questions we ask are designed to serve the

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community better and to make things public, but we all recognize how hard y'all are working and we really appreciate it. >> I appreciate that. Thank you very much, councilmember. >> Tovo: Mayor? -- >> Alter: Mayor? I also wanted to thank our staff and also ask if we could please be sent the slides so that we can share them with the community. >> Mayor Adler: I didn't hear you. >> Alter: I wanted to see if we could be sent the slides. >> Mayor Adler: If you could send out all three presentations to the councilmembers. Thank you very much. Less go on to the next briefing that we have. This is the briefing on redistricting. Manager? >> Thank you, mayor, council. This is a briefing that will be done by our city auditor, corrie stokes, and her staff. And so without further adieu, I'll turn it over to Ms. Stokes.

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>> All right. Can y'all see and hear me? Not yet. Maybe you can just hear me. There we go. We'll try and see. Okay. Good morning, y'all. The other thing that I'm not entirely sure -- y'all are sharing it for me, perfect. All right. So today I'm here, I'm Corrie Stokes, the city auditor and I am here to share information about our redistricting process and the responsibilities my office has for 2020. So next slide. So I know you as councilmembers and many folks within the city know what redistricting is, but just for the public, redistricting, it's a voter designed process where we redraw council districts, council district boundaries based on new census data. So that's the census data that's being collected now and available in early 2021. These boundaries shape how

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residents are represented for the next decade because this only happens once every 10 years. We did first do this when the charter was changed by voters in 2012 to move to single member districts and we're starting it now and the idea is that there will be a redistricting process in 2021 that affects 2022 elections. Next slide, please. So my office's job as laid out in the charter is to initiate and widely publicize a process for applicants for two bodies. So the first body is the applicant review panel. This panel is responsible for helping select commissioners. And I'll talk more about those guys in a minute. And then there's the independent citizen redistricting commission. This is the commission that draws the boundaries of Austin council districts. In both of these there are various requirements so for the panel you have to be a CPA or certified public accountant. You have to have some audit experience. And there are some other requirements there.

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The panel is three members. And then for the commission itself, there are actually many requirements. Voting history is one of those as well as there are several conflict of interest provisions to ensure independence, residency. You can't have been a city employee for I think three years. So there are various things designed to help ensure the independence of that commission. You and anyone can learn all this and more on our website. I'll give you a preview of that in a minute. But there's a lot more information. It's [redirectatx.org](http://redirectatx.org). -- [Redirectatx.org](http://Redirectatx.org). There's a panel and three CPAs. However many applicants we have and they narrow it down

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to the 60 applicants depending on the criteria. From the district we randomly select eight. My office randomly directs eight and these are the first eight members of the independent commission. Those



eight create the next six members to create a group of 14. And the commissioners start their work reviewing census data and drawing council districts. Next slide, please. So some key dates here, the applications -- the applications for the commission and the panel are open now. They opened last week and we've actually already gotten quite a few. Yesterday we had I think 40 commission applications and 42 commission applications and nine manual. I think that number has gone up by today. And that application period is open and our major outreach is happening between now and September. September 1st is when we close the panel of

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applications and September 30th for the commission. And on October 1st and almost all of these dates are very specifically spelled out in the charter, but on October 1st we do the random selection for the panel, the panel does their work through January, and then one thing to point out specifically to this group, in the charter there are specific provisions that allow each councilmember to strike one of the 60 -- one of the applicants in the qualified pool. So from the 60 each councilmember can strike one. Last time around nobody exercised the strike, but I wanted to make sure you were aware of that provision. And then we randomly choose from the remaining applicants whether that's 60 or 49 or something in between. We select eight commissioners, and they choose six more and they go forth and do their work to basically have everything in line for an election in 2022.

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Next slide, please. I keep trying to change my own slides. It doesn't work. So the big change in potential applicants between the last time we did this work and now, you can see here, we know Austin is growing very fast, but Austin's population has increased around 15% during this time frame. The reason why the eligible voters has increased so drastically, I think it's 345%, something along that, is because the flip from may to November local elections. One of the requirements is that you voted in three of the five last local elections when those elections switched from may to November. The voter turnout increased significantly for local elections. So given the increase in potential applicants, we have expanded our outreach. Next slide, please. So [lapse in audio] Expanded our

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outreach both because of the increase in possible applicants, but also the current pandemic has changed our plan and outreach. We have to meet the timelines in the charter related to the commission. So we've really shifted our focus -- at first we were pushing back our plans to maybe have in-person engagement later, and then we realized it didn't really make sense. So we shifted our focus to more virtual engagement. We're also if physical outreach, vird you'll media, the library has agreed to

pass out information for us at their -- I forgot what it's called, your drive-up library book getting. So there's basically we're doing things differently but we're hoping to reach wide and diverse

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pools of candidates. I'm hoping by now folks have seen or heard some of our advertising, it went live on June 1st. So hopefully people are seeing it. Next slide, please. Our next big engagement activity is a virtual town hall. We'll be having that Oun joon 18th at 6:00 P.M., to learn about redistricting, ask questions and we hope to have additional meetings throughout the campaign. We also will be reaching out to specific community groups, or specifically to community groups and offering to meet with them virtually if they want more information. Next slide. So everything you need to know about redistricting is on our website at [redistrictatx.org](http://redistrictatx.org). I'm proud of the work that's been done to get us to this website and we've also been interacting with the panelists and commissioners who served, I guess they're technically current, but who served on the

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prior commission, and they've been really helpful in us collecting information for our campaign. So one more thing about the outreach. Next slide. We are translating all redistricting information, and applications into multiple languages. Right now we have Spanish, Chinese, Vietnamese, we'll do other languages by request. You can actually apply in another language. So that is all the information that I have. Go to the last slide. I'll answer ne questions you have. >> I have some questions, mayor. I don't see him, so I'm going to ask my question. >> Mayor Adler: Okay. Sorry. Can you take the helm for this?

[10:03:27 AM]

>> Garza: Sure. Let me switch my screen so I can see everyone. The heat map, I'm trying to understand it. I understand it's saying the concentration of eligible -- it says eligible voters, but do you mean like -- do you mean eligible people to participate in the commission? >> Yes. It says voters, because one of the criteria is that you have to voted in three of the last five elections. So this is the data on those, how many people voted in three of the last five elections. >> Garza: And it just shows the concentration, but still, it looks like throughout the city, there are people who have vote in the last three elections. So even in the yellow areas, there are people who voted in the last three elections? >> Absolutely. >> Garza: Okay. Just wanted to know what the concentration is. If I remember correctly, there are limitations as far as

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just -- so -- I'm sure you're pointing this out in the outreach, I just didn't see it in the powerpoint. But one of them was, if you're on this commission, you cannot, like, run for a city council for a certain number of years. I think it's important -- one question I often get asked people interested in serving on council is, you know, I advise them, on a commission, where if you serve on this, you cannot run for council for a certain number of years. >> You have it exactly right, if you serve on the commission, you can't serve on council for 10 years. There are some other things. Most of the things are restrictions for, like when you apply, but that is definitely one that's in a restriction after you serve. >> Garza: Okay. >> And we have a few frequently asked questions on the website that answers a lot of those questions about kind of what the restrictions might be, should you decide to serve on this

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commission. I believe that's also for the panel. >> Garza: Okay. I just wanted to say, that's probably one of the most important ones. There seems to be a lot more interest in civic engagement, which is great, and I want people to know that would be a limitation to their running for council, if they served on a commission. And then lastly, if it's not part of the presentation, I think that the discussion about what redistricting is is great. But the history of this movement, I think, would be really great. Because what I often talk about, like I'm talking about a -- my little baby here, but it's not my baby, but because I think it's really -- when I tell people about how we were at large council for such a long time, and how that really -- in many ways prohibited, but made it very hard for minorities to be elected to the city council. I think that's a really important history that people need to know, how it was up for

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reelection six times and failed six times and it took us the seventh attempt to pass the geographic representation. I think that would be a little important history lesson for folks, if you wouldn't mind adding something to that effect in the presentations. Thank you. That's it from me. Mayor, do you want -- >> Mayor Adler: Okay, I'm back. Thank you. Anybody else? Questions about this presentation? Yes, councilmember alter. >> Alter: I'm sorry. I have to share a printer with the rest of my house here. So I hope you can hear me. >> Mayor Adler: Yes. >> Alter: Thank you, miss stokes, for that overview. Can you speak a little bit to how this census timing is going to overlap with the timing for redistricting, and how we are adapting and what limits our availability to adopt if there are any limits? >> So, that -- certainly from our perspective, that's something that we've been talking about, and so if the census is delayed, do we delay

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redistricting efforts, in our conversations with a lot of partners, especially our city attorney can speak to this as well, but in a conversations with the law department, basically we should still stick to the charter mandated process. It could mean that the commission has a delay, or the commission doesn't have all the data they need once they're formed. So it could push back the process for the independents in the redistricting commission. It would not necessarily, or does not change our timelines for recruiting that group. >> Alter: So the charter determines the recruiting timeline, not the timeline for when it needs to be finished? So we have -- I mean, the most important thing is for them to have the data when they're making their final decisions? >> Absolutely. And so there could be -- I mean, there may be some time where they're not actively doing their work with the census data, if census data is delayed. >> Alter: Presumably there's

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also a lot of work to look at, past history, as mayor pro tem mentioned, of the system, and the intentions and the work of the prior commission that would come probably before you would get too deep into the current data anyway, is that correct? >> Absolutely. There's also the time to select the -- eight commissioners select the additional six, so there will be time for that as well. >> Alter: And I just wanted to also give you an opportunity to state the changes that we needed to accept with respect to the audit plan, due to the extra work with this as well as covid for my colleagues. We discussed this in finance, but I think it's important for everyone to hear about. >> Redistricting has taken up a huge piece of my staff's time. We have probably, I would say half of our staff working on

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this. Not exclusively, and then in addition, we've had some vacant -- or we currently have some vacancies. So that's impacting our ability to complete work. We've recommended taking a couple of things off our audit plan. But we've also added a risk assessment, basically a way for us to be cognizant and paying attention to what's going on with the response to the coronavirus and making sure that we can identify projects for the future, not necessarily to get in the way right this second, but a way for us to identify projects that might be more relevant than some of the work we had planned. The example I used is one of the audits we took off the plan relates to park and management. Right now park and management looks very different than when that was a high risk on our plan. It doesn't mean it won't come back as a high risk, but for now that's the kind of shift that we've made to accommodate this work on redistricting as well as to complete the rest of the work

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on our slate. >> Alter: Thank you very much. >> Mayor Adler: Okay. Thank you. Colleagues, anything else on this presentation? All right. Thank you very much, corrie. Thank you. >> Certainly. >> Mayor Adler: Let's move to the next presentation. It's the last briefing we have, on the street impact policy. Manager? >> Thank you, mayor, council. I will allow shift to our third street impact fee policy. And for that I'll turn it over to the transportation program, and Dr. Stiller if you would take it away. >> Thank you, Mr. Manager. I hope you can hear me? Yes? >> Mayor Adler: Yes. >> Mayor, council, city manager, thank you for the opportunity to continue reporting back to you on a policy proposal related to transportation development impact fees this morning. We recently presented this material to the mobility committee, but we know that the entire council is interested in

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this policy recommendation, so we're here today to provide a similar briefing to the entire council. Today the Austin transportation department, Ann Miller, will be presenting. Cole Kitten and (indiscernible) Pollack are available to answer any questions you may have. This certainly will not be the last time you'll be asked to review this policy, or think about this policy, but I want to make sure that you have all the information possible today, as well as the opportunity to get individual briefings over the next month. You'll be asked at this next council meeting to set a policy hearing, a public hearing, and Leann will talk about that for July. And so with that, I'll turn it over to Leann, and thank you again for inviting us. >> All right. Can you hear me? >> Mayor Adler: Yes.

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>> Okay. Great. Thanks. My name is Leann Miller, I work with the Austin transportation department, in our planning group. Thank you for having us to present to you on the impact fees this morning, along with my colleagues at ATD, we have the consultant on this project to help me answer questions that y'all might have. I will be giving you a briefing this morning on the results of the impact fee study which we completed this spring and the draft policy recommendation that's been made by the advisory committee. Mobility committee members have seen much of the information, as Rob mentioned, at the April 30th meeting, but this is the first time the council has seen this item at the full council since last August when you all took the action to approve the function. There's a lot of information in this presentation today with respect to your time, I'm going to touch on the key points. But hope that these slides will

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serve as a reference for more detail. I'm happy to follow up with your offices over the summer, as Rob mentioned, in one or more meetings to answer questions we don't get to today. We're hoping to

receive feedback from council on the policy development, and make sure that this new approach to development contribution to transportation mitigation meets the city's goals. Next slide, please. I'm going to cover today the work that we've done to date, as well as prior action items of the council. I'm going to cover how we completed the study and calculated the maximum impact fee, discuss the policy recommendation, and revenue projections based on that recommendation, as well as some community feedback that we've received over the last several months as we met with many different groups. And then cover the next steps in bringing this item as an ordinance to council.

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Next slide, please. Stepping back quickly, what are the impact fees. At the most basic level, impact fees are a one-time fee for new development. What the study is doing is calculating the cost of growth for that street to meet the needs of new development. Impact fees are authorized and governed by chapter 395 of the Texas local government code, the city of Austin has water and wastewater impact fees, and has had a program since the 1990s. And the chapter 395 requires a study to determine which fee is assessed. So that's the work we've been doing. Next slide. This graphic you've seen many times is the schedule of this project, Texas law, as I mentioned, is very descriptive as how the fees can be imposed, so we followed the process to complete the required study, had the advisory committee, the

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impact fee advisory committee serve that role that has been advising the water utilities throughout the life of their program, and then met all of the public hearing requirements from state law. We've now completed that required study, and are in the policy development phase. The study, as you remember, when we were talking back last summer, included the development of land use assumptions, or growth projections and service areas. These were originally presented to council back in the fall of 2017. As well as the development of capital projects, which were collectively known as the roadway capacity plan. These were developed in coordination with the strategic mobility plan and we were able to use the asmp process in a way to receive feedback on those projects to be included. So that is based on that feedback. In August of 2019, we brought those to the council for

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approval which is develop -- calculate the maximum fee and develop the policy recommendation. This is where we've had the most interest from stakeholders, which I think we expected. It's really where stakeholder feedback is used to shape the policy. Next slide, please. This slide shows prior meetings and actions of the council, council, committees, boards and commissions. The advisory committee approved the study report, determining it was in accordance with state law and made their policy

recommendation in the spring. And that information was presented most recently at the mobility committee in April. Next slide. The approved study assumptions, quickly recapping what the council approved in August of 2019, that included the service areas in which fees are generated and used within, the land use assumptions or growth projections over a 10-year

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period and the roadway capacity plan which includes new roadway connections, expansions of existing roadways, access management projects, which really serve safety and mobility, and (indiscernible) Improvements, whether those are signalations at the intersections. One note on the next slide, please, is that we've gotten questions about how the policy aligns with our current goals to become a 50/50 mode share city where 50% of Austin's commuters are doing so by a mode other than driving alone. So I wanted to point out that while state law restricts impact fees to be used for vehicle capacity projects, it does allow for the necessary appurtenances of the street to be part of those projects. So that would include all the elements of the street cross-section, including the sidewalk, the street tree, the bicycle facility, and even the

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pavement necessary to make the street ready for high-frequency transit use, if that's in the transit plan. So we've included all of those elements within these projects, and so in making vehicle capacity improvements, we're also able to make these multi-modal improvements. We're updating our transportation manual right now to reflect these changes in street standards. Next slide, please. In calculating the impact fee, we worked with those study assumptions, and it's a fairly simple formula to calculate the maximum impact fee per service unit, which in this case is \$1 per vehicle per mile. If you look at that formula in the yellow box, the maximum fee is the result of the cost of the capacity plan, divided by the new servicing of demand, in vehicle miles. So the formula is done for every

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service area. You have a different maximum impact fee in each service area. What makes this calculation a little more nuanced is that we remove the costs that are not associated with growth over the next 10 years. So growth beyond 10 years we don't include, and then we can't pay for the past deficiencies in the current system and existing demand. That graphic in the center is not to scale, but the recoverable costs of the roadway capacity plan is that amount that could be associated with growth over the next 10 years. We also account for prior developer contributions, making sure that we're not double counting contributions that development has already committed. And then we also conducted the state allowed

credit calculation which allows us to go to the maximum. If we don't connect that calculation, we need to take the maximum calculated by the study

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and divide it in half. You can only charge then 50% of what you calculated in the study. So we went ahead and did that credit calculation so we knew what the full maximum was. Next slide, please. This map shows the service areas. This is where we look at each service area having a different maximum impact fee. So you'll see this map come back a lot. And we'll consider the fact that different growth and different projects in each area is what's driving the difference in fees. Next slide, please. So those were the steps we took to complete the study which are really the technical bounds of what the city can collect under a street impact fee program. In determining the collection rate, there are some items for council to consider to make sure that this policy is equitable.

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We could vary the fee by service areas, so a different collection option in each different service area. If we collected the maximum, that would be in essence what we'd be doing. We can vary the fee by the land use. A different rate or percentage for different types of uses. This example is residential versus non-residential. But we could get into industrial or other types of uses. A phased-in approach, so a collection rate option in one year that transitions to a different rate in a future year. This is the approach that the city of Roundoff took in adopting their policy offset. So this is something that is outlined in state law, and would apply, no matter the collection rate option. That fee would be offset by improvements that are built by development. They would be credited to their fee, otherwise due by building the infrastructure. And then reductions.

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These are the ability for the city to provide reductions in fees for developments that meet other city objectives. Which could be really anything that the council deems as an important reason to reduce an impact fee, such as providing affordable housing or providing a development that serves a transit center. Next slide, please. This slide, slide 11, and the next eight slides are pretty data-heavy slide, so I won't linger on these too long. Really, the key decision to make on the policy is how much of the cost of development should be distributed to the rest of the city, and if some areas should cover more of that cost than others. You can see in the tables at the bottom, on the left is the maximum impact fee.

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So that's what was the result of the study, single-family. We have five different example land uses, there are many others in the study, but it shows the average, median, highest and lowest fee for the five different land uses. And then the table on the right is showing the impact fee advisory committee's recommendation for the collection rate. So speaking a little bit as to how that recommendation came about, it is for 50% of the maximum fee for non-residential land uses and 35% of the maximum fee for residential land uses. The 50% of the maximum was picked for sharing the cost -- the growth cost. Essentially 50/50 with new growth and with other sources. So distributing that cost of development to the rest of the city, half of that.

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The collection rate was further reduced for housing uses to reflect the housing goals of the city, and housing supply goals that we have. And the median for -- under this recommendation, the median for a single-family home is very close to the current amount that we would determine using our current methodology for rough proportionality. So similar to what we have today. Next slide, please. This slide is showing you the chart, showing the housing fees. The maximum fee per service area are those gray bars. The Orange bars reflect the impact fee advisory committee's recommendation of the 35% of the maximum. The Orange is for single-family homes. And the blue for multi-family. It's a little hard to read those

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bar charts, so the next slide, slide 13, is taking those Orange bars for single-family and showing them in a table, and then again with the amount overlaid on the map. If you go to the next slide, please, slide 13. And this is a little bit easier, I think everybody would like to see the numbers side by side in that to understand the differences. I'll point out a couple different service areas, service area K is the highest service area. This is primarily due to a bridge project. An extensive project, the red blood trail bridge. And relatively low growth in that service area. You keep that formula in mind, the costs of the project divided by the growth is how you're getting to the fee. So more projects, less growth, you'll have a higher fee. Service area southeast is one of the -- on the higher side.

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I think that's really because of the, you know, lower density now, the potential for growth, and having a lot of infrastructure need. Service area D is northeast Austin, is a median -- about median service area. There is a lot of growth there. Which is, I think, is offsetting the projects needed. And then service area

"I" is central Austin, one of the lower service areas, and really, there's average growth, but there aren't a lot of capacity projects in this area. It is mostly built out, there's not as many places where new roadways or roadway expansion are really possible. So the next slide, slide 14, shows those blue bars again for that house multi-family and then overlaid on the map. Same information there, just with the numbers themselves. So this would cover duplexes,

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ads, one to two-story multi-family units, as well as single-family homes, less than 1,200 square feet. Slide 15 is showing the mid-rise, multi-family. So three to 10-story, this is most of the multi-family we see in Austin, other than in downtown. So as you can -- you'll notice that the fees reduces per unit, as we get more intense in the multi-family development. It decreases with that intensity. The next slide, slide 16, summarizes the three previous slides all onto one. You can look at each service area, so a single-family, the townhome, duplex, the smaller house, single-family and then mid-rise. We also have high-rise in the study as well. The next slide shows -- I'll show a couple of slides with

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non-residential use examples. Remember, this is back to the advisory committee recommendation of 50% of the maximum fee for these types of uses. This is an example for a 3,000-square-foot restaurant. Slide 18 is a 10,000-square-foot office. So the green bars and then on the next slide, the purple bars are showing the recommended rate relative to the maximum. Go to the next slide, please. Yep, that's a 10,000 square-foot office. Going two more slides, 50,000 square-foot retail development with those yellow bars. So one more slide, please. Yep, there you are. So you can see the shape of those bar graphs is the same across all service areas, because relative to the maximum, we're doing 50% of the maximum

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recommendation. So that's the end of the heavy data slides. The next slide, slide 20, is technical fee reductions, kind of going back to that last note that I made about council considerations in developing a policy, what types of productions to -- once the collection rate is set, then are there additional reductions that you would want to allow for. The committee advised on a couple of different types of reductions, one for technical reductions, meaning where the reduction is given because trips are actually being reduced based on what that development is doing, and then policy reductions where we're meeting other city goals. Technically under those reductions, internal capture would be for developments that are mixed use, and some of the trips are staying within the development itself. So they recommended reduction of 20% from the effective rate for

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that, up to 20%. And then for transportation demand, management utilization for strategies up to 40% of the effective rate. And then for policy, they recommended a reduction for affordable housing. And then a maximum of cumulative reduction for 60%, kind of looking at that 20 and 40, and then potentially higher than that for affordable housing. And that's something that we're still working out with our housing department, the affordable housing policy, what it looks like with the land development code. The next slide, 21, is showing -- this is a slide that some of the mobility committee members had asked to see, that shows in service area "G," in east Austin, the -- some example, Austin developments that have occurred in the past and what was collected in terms of mitigation, or through their

[10:32:08 AM]

tia process. How that would relate to the maximum fee based on the study, what the fee would look like based on the impact fee advisory committee's recommendation and what does that look like compared to the collection rates in some other Texas cities. So you can see there's a primarily multi-family development, an office development, large mixed use development, and then a primarily single-family development that had a little bit of office and retail, and what the fees look like across those. This is in service area "G," it's outside the loop, what that means is it's referring to the fact that we looked at trip patterns, and the trip length in certain parts of Austin. The further you are from the core tend to be longer. So trip length associated with service areas outside the loop are longer than inside the loop.

[10:33:08 AM]

And the loop in this case is 183, 71 and mopac. Any service contained within the loop has that shorter trip length. On the next slide, service area "I" is one of those inner loop service areas, the same information with what the maximum and the recommendation rate would be compared to some other cities. And so I think what this really points out is that we -- the current process doesn't necessarily lend itself to being equitable to development of similar size, and may not reflect where they are in the city very well, and depending on whether or not there are nearby adjacent improvements that could be made, may impact how much they are required to contribute as they are developing. So the next slide, please, shows

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the summary of the draft recommendations. 50% of the maximum for non-residential land uses, 35% for residential land uses, the three reductions, the cumulative reduction cap, and then the effective date. This is one that's important. The impact advisory committee recommended that the effective date of the ordinance would be the same as the ordinance adoption, and that there would be no collection of fees for one year. State law requires that there's no collection of fees for one year for properties that have previously platted, but the committee recommended to extend that exemption to all development for no collection of fees for one year. So that would give everyone an opportunity to pull a building permit within that first year. Next slide, please. I'll now go into the revenue

[10:35:13 AM]

projections based on those recommendations from the advisory committee. Next slide. This is showing two pie charts. The one on the left is representing the maximum fee, and then the one on the right is showing the draft recommendation with the estimated -- we made some estimates on those reductions that we talked about. So only -- this is kind of going back to what we talked about earlier, only a portion of the roadway capacity plan is able to be recovered through impact fees, only that 10-year growth amount. So the blue pieces of the pie chart show what can't be recovered through the impact fee, because it costs to meet existing demand, and costs to serve growth beyond the 10-year window. The pie overall is representing the overall road capacity plan, and then the Orange is the only recoverable part from an impact

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fee. That small peach sliver on the left is the credit that I mentioned, that we calculated for prior contributions that haven't been spent, and future add value taxes for development. The pie charts shows the projected revenue if we were to collect the maximum fee on the left, at 1.8 billion. On the right, over 10 years, and on the right would be 285 million with the assumptions for the 50% and 35% collection rate, as well as that lighter purple pie piece is showing the anticipated reductions, where we're giving reductions for tdms, internal capture, and affordable housing. And a good thing to point out there is that while we may be giving reductions, we are encouraging those types of actions to be taken in the development of projects, so that

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we're seeing development provide more multi-modal facilities, better parking, other things that are desirable in development. So there's -- you know, in giving a reduction, we're seeing some other benefits. Next slide, please. It shows the roadway capacity plan. This is the same information, just in a percent form. So with that -- 56%, essentially, what I mentioned before, that that graphic wasn't to

scale, because 56% of the roadway capacity plan is recoverable with impact fees over 10 years with that maximum fee. With the recommendation, it's about 9% -- 8.9%. Next slide, please. This is summarizing the revenue projections, using the 50%, and

[10:38:18 AM]

35% rate. That would result in 859 million over 10 years. With no reductions. The next set of bullets is showing the reductions, we anticipate about two-thirds of this total. So we made some assumptions about tdm, affordable capture and affordable housing as well as redevelopment. In the case of a development that has an existing use on the property, the fee is based on the delta between the new trips that would be generated by the new development. If you're utilizing the current structure, coming from a restaurant to another restaurant, you wouldn't have a fee. And so utilizing those reductions, we projected revenue of 285 million over 10 years, or about 28.5 million per year. This is about approximately twice the revenue that fort Worth sees from their programs annually.

[10:39:19 AM]

I think the most recent stats we have from their staff is as of July 2019, they had about 170 million since their program inception in 2008. And that's split between fee revenue and offsets where developers are building the infrastructure, and receiving an offset. Next slide, please. We have received a lot of feedback from all the groups we've met with over the last several months. I wanted to summarize some of the sentiment of the feedback for you all as you're thinking about the policy and what is going to make the best policy for Austin. We've heard concerns from smaller and (indiscernible) Developments where many of those developments may be not contributing any sort of transportation mitigation today. Then this would be completely new. Encouraging ads, that there is,

[10:40:22 AM]

you know, policy about encouraging ads. However, people don't want to see a street impact fee negatively affecting that. Not wanting to disincentive households, that being a very big need in Austin. Needing to consider equity and historic underinvestment and disinvestment in certain parts of Austin as well as affordability, housing affordability especially. Encouraging sustainable transportation and meeting our asmp goals. The current economic environment in light of the covid-19 pandemic, as well as the desire for new growth to pay for the infrastructure needed to serve new growth. So with that, the next slide shows the next steps in bring ING a policy and draft ordinance

[10:41:22 AM]

to council. So we'll continue to have public meetings, meeting with the urban transportation commission on Friday with the urban land institute on Thursday. Mets with the codes and ordinances joint committee as well as planning commission later this month. Those individual briefings with council offices as requested. Rob mentioned you have an item on your meeting for Thursday. This sounds a little bit like groundhog day. You did this a month or so ago, but we had an issue with the public notification posting in the paper on time, so we wanted to reset that public hearing for July 30th and make sure that we provide proper notifications. Ordinance approval. And then we would -- staff would move into the development of administrative procedures. So at the time of fee collection, we would be ready to

[10:42:23 AM]

do that. Next slide, please. So this shows the website where we can -- you can find all of the information on the impact fee study, the development. We've been tracking questions as we've received them, so we can update that frequently asked questions document. There's a way to sign up for e-mails from us, as we hit milestones in this process. As I mentioned, we've been making presentations to many different groups. You can go there and request a presentation and find information on the impact fee advisory committee and the meetings that they have had on this topic. And next slide. That is all I have. And I'm happy to take any questions. And then as Rob mentioned, he, as well as some of other staff members from Austin transportation, and our consultants, are online to help answer questions. Thank you. >> Mayor Adler: Thank you.

[10:43:24 AM]

Colleagues, does anybody have questions they want to ask? And I'll have the screen back. Ann, do you want to start us off? >> Kitchen: Yes. And thank you for bringing this to the mobility commission. We had some good conversation there. I want to point out just a few things. I think one of our questions at the mobility committee, it sounds like the staff is working on the reduction for affordable housing, we wanted to make sure that the percentage reduced was tied to affordable housing at a level that we could really get, and that was appropriate. I think the original thinking was it was 75%, you know, all or nothing. So we wanted to look at ways to

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phase that, so that you only get 75% [lapse in audio] Significant investment in affordable housing. And that there might be -- in order to encourage affordable housing, we might have less of a reduction for different levels of affordable housing. So it sounds kind of like the city is working on that, the

department is working on that. Is that correct? >> That's correct. We want to calibrate that policy, so that it's in line with our existing affordable housing programs, and then it's also potentially flexible to respond to future land development code updates. But yes, that's in line with encouraging affordable housing, but not making the bar so high that it's not a reduction that anybody would actually apply for or utilize, but make sure that it's in line with the amount of affordable housing. The other recommendation from

[10:45:30 AM]

Austin transportation is that any affordable housing reduction would be matched with utilization of transportation demand management strategies, so that it's not just affordable housing, it's doing affordable housing and some of the transportation strategies that we want to see to receive that reduction. So yes, councilmember, we are still working on that one. >> Kitchen: The other question I have relates to slide 21. I wasn't -- I want to make sure what the takeaway is from that. I was thinking that was supposed to tell us how the recommended approach compares to what we -- you know, what we identify and collect right now under our (indiscernible). Can you give me the short version of this? Are you saying that we're actually going to -- there's actually going to be additional dollars that we would be eligible to collect using this

[10:46:33 AM]

system? >> I think it's hard to say exactly. I think what you'll see from this recommendation is that in certain cases, and I think it's really going to depend -- and as we talk more and more to stakeholders, it's becoming more and more obvious to me that depending on whether you're small, medium or large sized development, you may feel a different impact from this policy. So a smaller development that maybe not be paying anything today, they're not doing a transportation impact development, they may not be doing any mitigation at all, wouldn't be paying a fee today but may have a fee under this policy. A medium development may be the ones who contribute the most proportionally today, because they have the infrastructure around them that can match up to mitigation where under a much larger development, we have a harder time under the current policy in order trying to

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determine a pro rata share, or their proportionat demand on a certain piece of infrastructure, so that the scope of that review may not extend far enough away from the development to actually meet their fee. So especially if you have a development in an area that there aren't really many adjacent improvements to be made, that development may not contribute very much under today's policy. So I think, of course, the answer that no one loves is, it depends. But I think that is the case here, where on

slide 21 that you're referring to, the office example, they contribute a little over \$300,000, and then in the next mixed use development case, you have almost five times that, six times that amount of office development, and their fee is, you know, was 560,000. So that doesn't seem very equitable or proportionate under

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today's process. >> Kitchen: Okay. Thank you. >> Mayor Adler: Colleagues, anyone else have any questions at this point? Yes, council member Ellis? >> Ellis: I've got one. I know you mentioned the bridge project. Would that fee change if we were able to find different sources of funding, like the build grant for that particular project? How would that factor in? >> Yeah, that is a good question about the grant. And why we have the project included, it is funded through the 2018 bond, but we could use impact fee revenue to pay down the debt on that bond, so that we free up that debt capacity faster. So that's one of the ways that we could utilize impact fee revenue. So where projects included vehicle capacity improvements from the most recent bond program, 2012-2016-2018, we included that in the plan. I think if we remove that

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project and said we had a completely different funding source that we weren't trying to pay, to pay back, that would lower the fee in that area. >> Ellis: Okay. And I have a question about the 35% and 50%, and forgive me if you've already addressed this in previous conversations. But what is the rationale for that personal of the maximum being applied? Is it a matter of how much development you expect versus how much the transportation infrastructure costs would be? Or is there some other factor to getting those percentages? >> It really goes back to a policy decision, and how much -- when we reduced the collection rate, that assumes that other sources would be paying for the remainder of those projects. So at 50%, we're saying that development is paying 50% of the costs for this infrastructure, and the remainder is distributed across the community.

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So whether that's through property taxes, and other funding sources, like bond programs. And so 50% was what the committee felt was fair for new growth to pay for and share the costs with the rest of the community. I think initially, some of those members felt strongly about a maximum, and kind of going to having growth pay their full share, and then started thinking more about how the process is today, and where the community at large is really sharing the costs a lot of times with -- is really sharing the cost of that infrastructure for new development. And so they landed with that 50/50 as sharing. And as I



mentioned before, if we hadn't conducted that credit calculation, we would have been required by state law to take the maximum fee from the study

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and only collect 50% of that. So that was another place where that 50% came in as being something that other cities do just because they don't take that extra technical step to do that calculation. So that's where they landed on the 50%. And then the 35% was kind of looking at, well, what is the actual dollar amount in a single-family home, how does that relate to what we're doing today, and make sure that we're having a reduction for housing just because our -- you know, the city of Austin's goals happen to be more aligned with housing supply than maybe other communities, who are more focused on commercial development or tax base from different types of industrial uses, things like that. >> Ellis: Okay. That makes sense. And I appreciate that clarification. And can you just speak briefly about considerations of entities -- like my district kind of goes around the city of

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west lake hills and rolling wood. There are different parts of our community that kind of wrap around other developed areas, parts of town, too, that some of that traffic pattern may affect our streets, even if it's not necessarily a road that we would pay for. How is that conversation approached? >> Yes. So it's definitely come up in conversations with stakeholders. You know, the conversation of, well, there are all these communities around Austin that are utilizing our roads, and then creating additional demand on our roadways. The way that state law is outlined, we can only impact -- you know, impose an impact fee program in the city of Austin. We're not able to go into our ecj, for example. That's one limitation of the program. You know, I think tolling is that way, that you kind of measure the amount of use of other areas, we can only look at

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the city of Austin under a program like this. But it's definitely a conversation -- so like the city of west lake or rolling wood, those areas we wouldn't be able to charge fees for developments in those areas, even though they are using city of Austin roadways. >> Ellis: Right. I know, those may not be great examples, because they're mostly homes right now. But I just was kind of curious about how we kind of account for roads that affects Austin roads, that might not be in Austin necessarily. So I appreciate that clarification. >> Thank you. >> This is rob spiller. If I could pension, that's really the purpose of the (indiscernible) To help take care of those regional funding issues. And so as Leann says, state law limits us to focus on our mobility needs within the city

[10:54:45 AM]

of Austin, and charging only residents to participate in that ability. Just as, you know, now, for instance, with the red blood bridge, it is Austin voters that voted on bond money to pay for that benefit as well. We certainly reach out to our partner cities in the case of the red bud bridge. But really, that's the purpose of the metropolitan planning organization to help us fund these regional projects of significance. So thanks. >> Ellis: Appreciate it. Thanks. >> Mayor Adler: Okay. Anything else on this presentation? All right. I think that does it then. Ann, did you have something else? >> Kitchen: Yeah, just real quickly. You may have done this already. But I think it would be important to reach out to other stakeholders related to this, so for example, groups that are involved in active transportation would be one.

[10:55:46 AM]

There are others, too. I just quickly looked at the list that you had, and it seemed to me that there were aspects of the community that, you know, that transportation is a key issue for them, perhaps that you could reach out to. >> Absolutely, we can do that. >> Kitchen: Okay. Thank you. >> Mayor Adler: Okay. All right. Thank you very much for the presentation. A lot of work. >> Thank you. >> Mayor Adler: Thank you both. All right, colleagues, it is just a few minutes before 11:00. I think we're at a place where we can go ahead and do pulled items. I've been in communication with Natasha, who's been watching us, and suggested we go ahead and she'll join us. Councilmember alter. >> Alter: I have some amendments

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to share that aren't ready yet because I thought I was going to have until 1:00. So I just was wondering if we could do executive session before the pulled items, if that would be possible? Because I think the discussion would be more constructive later. People could read it. >> Mayor Adler: Okay. I don't have a problem with doing that. If we wanted to, we could break now, go into executive session, come back out of executive session and do the pulled items. Does that sound okay, now that we've been asked to do that? I see people shaking their heads yes. >> Sounds good. >> I would just add that I think that there are going to be -- I'm hoping they'll be considered for amendments. But I think they'll be much easier to talk about if I can have them in a format -- >> Mayor Adler: Do you think post them to the message board so people can see them before we come back in? >> Alter: Yes, whether they can be before noon, I don't know. But certainly before we come

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back. >> Mayor? >> Mayor Adler: Yes? >> I guess my only concern is that we've got a lot more engagement now. And I don't know if people are listening, and (indiscernible) Fall off this conversation, because we have no idea how long we'll be in executive session. If there are amendments (indiscernible) I just don't want -- this is a very important moment right now. I think part of it is people are also feeling the frustration of how slowly things move sometimes. That's just my only concern. >> Mayor Adler: I told a lot of people I thought we wouldn't get to the pulled items until after lunch. That's kind of what I announced this morning. %-Pmayor pro tem, you tell me, if we were going to come back at a time certain, if we were going to come back at 1:00 for the

[10:58:49 AM]

pulled items, that gives more people a chance to get on. >> Garza: I think that would be the compromised position, to have a time certain we're going to come back. And when the time comes, to come back at that time. >> Mayor Adler: Okay. Let's go ahead and do that then. We'll take a recess. We'll go into closed session. It is 11:00 now. We'll have some time in executive session. We'll take our hour lunch. We could come back -- but I don't anticipate this executive session is going to be a long one. I don't know how many times I've said that. We could probably come back -- it's 11:00 now, we could probably come back at 12:30, and do the pulled items. And we will -- >> Mayor? >> Mayor Adler: Yes? >> Just a reminder, [lapse in

[10:59:52 AM]

audio] Noon until 2:00. I might be able to arrange things to be back before 2:00. But I'm not saying (indiscernible) To the times you talked about, but I organized that to be around what I had understood to be our lunch break. >> Mayor Adler: Okay. Let's come back at 1:00. If we're not done with executive session at that point, we will stop to make sure that we can be back here at 1:00. 1:00 will be a hard time for us to come back and consider the five pulled items. The only items that we have pulled today. So with that, at 11:00, colleagues, if we could all go over to the executive session. We're going to take up one item pursuant to section 551-071, related to e-3, (indiscernible) Versus city of Austin. E-1 and erkds-2 have been

[11:00:54 AM]

withdrawn. We'll go into executive session on items announced. Councilman alter if you could as soon as possible post those so people can come into that conversation. >> Alter: That has always been my intention. At 1:00. Thank you. >> Mayor Adler: Councilmember kitchen? You're on mute. You're on mute

still. >> Kitchen: There. >> Mayor Adler: Go ahead. >> Kitchen: Just for the public, what we were talking about in terms of posting is on the council message board. And so if you -- I'm trying to figure out a way that people can see that. We can either, you know, bring them up and have them on screen, or we could just let people know that if they Google city of Austin council message board, and look at the thread that the

[11:01:56 AM]

mayor pro tem started, that's titled institutional reform, they will see what we all have been talking about. I have posted the amendment that I will be bringing, along with councilmember pool. So I just -- we talk about posting -- we know what that means. The public doesn't know what that means. So I just want to make sure that they have a way in which they can see those things. >> Mayor Adler: Sounds good. Thank you for adding that. It's 11:02. We're in recess. We'll see you in executive session.

[Recessed to executive session at 11:02 A.M.]

[1:03:35 PM]

>> Hey guys, looks like we're missing -- um -- Greg? And -- and Leslie. And -- um -- Greg and Leslie, Leslie is probably going to be -- going to be late, she told us. We will go ahead and reconvene the Austin city council meeting here for June 9th, 2020.

[1:04:35 PM]

Time is 1:04. We are out of closed session. In closed session we discussed legal matters related to item E 3. Colleagues, we are now just to do pulled items. Let's do the pulled items. First one, item no. 50,. Mayor pro tem Garza, you pulled that item. You need to unmute. >> Garza: I'm happy to speak to it, but since these are all kind of done together, I'm wondering if councilmember harper-madison wanted to say a few words? >> Harper-madison: I'm -- I would like to reserve my time for the two items that I might need to offer some clarity on. Thank you, though, I appreciate it. >> Garza: Okay. So item 50 is something we

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had actually been working on for a couple of weeks. And I want to make it clear that this is -- was not a -- a response to the past couple of weekends, but that being said, we have used -- it was another effort to

build on the we, that our judicial committee has been doing and, again, I want to express that is, to the community, point that out, we have different council committees. That I guess specialize in certain areas. And so, of course, we voluntarily choose to be on which committees. But many of us are much more deep in these issues because we've been serving on there and doing much reform work. It's where many of the reform work that happens comes to the full council. But building on that, we

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recognize that we have -- we have a lot of zero goals. For example, vision zero, where we aim to have zero traffic deaths. We have imagine Austin that sets goals. And we realized there wasn't a goal in our strategic direction '23 which had finally provided strategic direction for our council, which had never been done before. No councils had ever done a strategic direction plan like we did with sd 23. So it provides additional goals and metrics and a baseline. It sets the baseline for the disparities and arrests where the report showed that depending on what part of town you live in and what color of skin you have, frankly, you would be more likely to get pulled over, to have your car searched. And to have excessive force used against you.

[1:07:40 PM]

Showed the comparison of the percentage population, if you are African-American, what percentage you make up if you are hispanic and then the disparity which would show that -- that there were disparities and arrests for African-Americans and hispanics in our community. So it uses that report to set the baseline, so we can measure how we're doing in that area as we move, you know, further away from where we are now. It also -- 50 also asks for a report back on how we are doing on sd 23. Feels like five years, but I know it hasn't been that long. But it asks for a report back on how we're doing on sd '23 and then also asks staff to come back because racial disparities aren't only in our policing, we talk about this very often, they are in our healthcare, in our housing, so we had asked staff to bring back ways we can set baselines and measure those as well.

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There are some discussions about -- I would have to -- actually, I'll move on from that. And I just want to express just generally, and what these metrics do is help the reform efforts that are going to come into items, the other items that have been pulled, provides an ability to measure how we're doing on those reform efforts as well and accountability and transparency in these issues. And more broadly, I really feel that we have been given an opportunity that we cannot pass up. This -- it -- I feel that often we see these kinds of moments and if we don't continue to build on this -- on this moment, then it will pass us

by and we will be here again possibly. And so we have to show that we're listening. I would say very few of us

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come into this conversation with clean hands and I think that's the -- the important part for all of us to recognize is that's the moment that we're in. That -- that we can change -- we can change the way we did things in the past. We can -- we can recognize that decisions we made in the past, we had blinders on and we -- we felt we had a false choice to make. And I think this moment allows us to move past that and to really listen to the public. And I want to say, because I -- because I -- I think it's important that we all admit that there were things that we did not do right in the past and one of those, I was a supporter of our chief. And I encouraged others, too. I supported moving past a stalemate in the police contract and I encouraged others, too. But I think that our community really needs to see we're willing to recognize past mistakes and

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that's really where change happens. When we stop being defensive and when we start doing the hard work and that's the only way that we move forward is recognizing mistakes in the past, to open our eyes a little more and we can do that Thursday and we can do that going forward. We can take action by voting yes on obviously this -- my item, but on councilmember harper-madison's that -- very important budget actions, but also expresses our no-confidence in the police chief. Voting yes on Greg's item shows that we are willing to make hard decisions on necessary reforms. Now. And voting yes on Jimmy's shows that we are going to use the judicial committee for something it has really been doing all along in talking about reform in public safety. Lastly, I will say we often feel there are sides in this debate. And we're pulled to one side or the other. I don't believe that there are two sides in this

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debate. I really think that there is just one. And it's finding ways to provide public safety in a way that eliminates bias and eliminates our blinders. So those are my comments on 50 and I'm happy to answer any questions, if anybody has any. >> Mayor Adler: Colleagues, anybody wants to say anything on 50? Councilmember kitchen? >> Kitchen: I just want to say thank you for bringing this and I understand that it's something that you've worked hard for a while. You and the committee, perhaps. And I think it is very well thought out. And appreciated and I will be voting for it and I would like to have my name added as a co-sponsor. >> Garza: Okay. Thank you. >> Mayor Adler: Okay. The clerk will do that as we discussed last week. There's no limit to the number of people that can in

[1:12:48 PM]

a public hearing like this be asked to be listed as a sponsor. Further discussion on this item 50? >> Mayor? Councilmember Renteria? >> Renteria: Yes. You know, this is a long time, it's way overdue. I mean, I've been fighting this war now for over 50 years, against the police brutality. I remember marching down to the police station -- marching down to the police station, over and over again, and the beatings and the killings did not stop. We demanded that they hire more minority police officers. And they did. A lot of my friends became police officers. But they got co-opted by whoever was training them. Because one day their family was coming back from church at San Jose, there on east side drive, and he saw his son getting beat up, thrown

[1:13:49 PM]

off a motorcycle and getting beat up by hispanic officers. I said oh, my god, what the heck is going on here?!! This is just -- it's just horrible. So we really need these policies. I mean, all of those 10 policies need to be implemented immediately and there's -- I think -- I might go to my grave without even knowing that we ever are going to have, you know, this equity that we've been fighting so much for. I mean, this is something that's way overdue and the people of this city needs to realize that we cannot keep on believing that there's a superior race. It's just -- I mean, every time -- I'm always -- you know, after Obama got elected and we thought we had finally gotten over this, we got a president that's just flaming the

[1:14:49 PM]

flame of hate. And we -- we cannot get, you know -- set in that kind of mentality that there's a superior race and we're all minorities are just second class citizens and you have what police force -- you have a police force that can go out there at your -- you know, you could turn -- just release them out into our community. That's not fair. I don't blame these young people for being so angry. I was angry when I was their age, seeing young children getting shot just for stealing a loaf of bread. Those are the kind of things that I've been living with and I'm just sick and tired of it. >> Thank you. >> Go ahead, councilmember Ellis has a question, looks like. Councilmember Ellis I didn't want to cut you off if you were going to make a

[1:15:50 PM]

estimate. >> Garza: If everybody was done with 50, I was going to add a couple of things that I forgot to mention real quick. >> Ellis: I wanted to just mention that I'm eager to support this. I think these are great metrics that we need to be looking at. Like you and other people have said, there's a lot of disparity in the way that we see these metrics come back to us and it happens in housing, it happens in healthcare and it happens in access to food and I think if we're really going to be very honest about how Progressive we are and whether our policies are in line with our values, I think this is a really important place to start. So I appreciate you bringing this forward and looking forward to supporting it on Thursday. >> Mayor Adler: Thank you. Councilmember alter? >> Alter: Thank you. Can you hear me? >> Mayor Adler: Yes. >> Alter: Great. So I want to thank the judicial committee for bringing this forward. Mayor pro tem. I really appreciate the version 2 of this.

[1:16:51 PM]

I think it really sharpens what we're trying to accomplish. I do have to say that when I read the version 1, I was very frustrated with the reality that our staff hadn't done, which was something that was really embedded in the strategic direction, which was to do these racial disparities and be helping us to reduce those gaps. So I'm glad that we are bringing this forward and raising the profile and reaffirming that that is -- that is council's goal. The -- the second -- the second version, I think, makes it really clear some -- some mechanisms for us to hold staff accountable for taking those important steps. And I look forward to supporting the item. >> Mayor Adler: Okay. Any more comments on this one? Mayor pro tem, you can close. >> Garza: Okay. I just wanted to add, I'm sorry that I got caught up

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in my comments and used vision zero as the example to point out. We said in a goal of zero racial disoperators in traffic stops, arrests, ticketing, use of force and zero deaths at the hand of A.P.D. Disparities. Also I wanted to mention the mayor will be offering an addition of a resolution for the work that measure was doing in this area using metrics in dealing with police accountably issues. I don't believe that's in version 2, but it will be by Thursday. >> Mayor Adler: Mayor pro tem, thank you, thank you for that. I noticed that you have also appended into the backup some -- some of the numbers with respect to disparate treatment and I appreciate that part of the backup. I will probably also ask the clerk to append the final

[1:18:54 PM]

report of the task force on racism and systemic inequities. The other issue that it is not in one department, it is everywhere that we see it. Thank you for this work. >> Garza: I'm sorry, one last thing. We had that briefing, I believe it was only at the judicial committee. So I know we're having a lot



broadier discussions on how we address this, but that is such an important, you know, for those people watching, we get a lot of memos, reports, sometimes it's hard to keep up and it's normal to -- to pick out the ones that -- that are -- that are responsive to the committees that you serve on and are responsive to the work that you are doing. But it doesn't mean that it's not important to everybody. It's just a bandwidth issue, which is something that we'll be having these broader discussions. But to that point, you know, reporting like that, we need to find a way to bring those kinds of numbers to the full council, which really just

[1:19:56 PM]

telling maps of what parts of town you are likely to get pulled over, arrested, get tickets, that kind of thing. Just offer that as feedback to future reporting like this. >> Mayor Adler: Again it's part of the backup. Everybody should take a look at that. Anything else on this item? Okay. Let's go on to the next item. Councilmember harper-madison, did you want us to pull 94 and 96 here? Do you want to go in the other order? >> Harper-madison: I'm sorry, I don't understand your question. >> Mayor Adler: This morning when we were going to do it and you were listening and not here, I was going to take 94 and 96 out of turn next. >> Harper-madison: I see. >> Mayor Adler: I'm still prepared to do that. >> Harper-madison: That's not necessary, I'm happy to speak to them both now. >> Mayor Adler: Okay. Let's go ahead, pull 94, 96 and then back to 93, 95. >> Harper-madison: Okay. Item no. 94 is our fair chance housing item. My team and I have been

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working really hard. I mean, really hard thanks to the team for all of their hard work on this resolution. For months, I'm proud to finally be bringing it forward. I shouldn't have to say that, but I think we're all probably a little frustrated this week having to say things we shouldn't have to say, it should be obvious. But housing is a human need and shame on us if we neglect to use whatever powers we have to ensure opportunities are within the reach of all of our residents. This resolution will finally give formerly incarcerated issues and people with eviction issues a fighting chance to live in housing they can afford in Austin. There's just really no reason we should allow property owners who receive city funding for their developments to discriminate against people because of their past. So we know that black and brown people experience disproportionately higher rates of incarceration, disproportionately lower

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incomes and net worth, creating barriers to affordable housing, really only fuels the cycle of generational poverty that is frankly almost synonymous with our racial divide. Housing justice is racial justice. And I appreciate the folks who showed up to support us with this and I hope that my colleagues

will join us in -- in establishing housing justice as a value that the city of Austin has, also. >> Mayor Adler: Okay, that was item no. 94. Let's just take that one first, does anybody have any comments on 94, anything else? Councilmember kitchen? >> Kitchen: I want to take this opportunity to say that I will be supporting this one. And thank you for bringing it forward. I've been one who wanted to and have in the past supported access to housing.

[1:22:57 PM]

And I appreciate you taking this step, councilmember harper-madison. And I would like to be added as a co-sponsor. >> Mayor Adler: Okay. The clerk will make that note. >> Sure, thank you. >> Mayor Adler: Okay. Let's then move on to item no. 96. Councilmember harper-madison? >> Harper-madison: Item no. 96 is about the A.P.D. Budget. I said it already yesterday in our press conference that our budget truly is a moral document and reflects our common priorities. I appreciate mayor pro tem speaking to that some when she gave her remarks and so I look forward to us -- passing this item as well. I don't think an overfunded militarized police force that shoots peaceful protesters with lead pellet rounds is something that our community wants. I think 400 million-dollar police budget is more than twice the size of the

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military budget for the entire nation of Mongolia. We have neighborhoods that don't have sidewalks. We have families without technological devices that help their children keep up as school. 2018 affordable housing bond was historic in its size, but even that was still only \$250 million. I believe a better return on the investment for our public safety dollars is to invest in alternative public safety measures that address root causes. We need to -- we have just -- we adjust our police budget and I'm certain that we can start with easy fixes like eliminating funding for positions that can't be reasonably filled in the fiscal year. Zeroing out funding for things like tear gas and rubber bullets. This item isn't the end-all and we all know that. It's the beginning of a much needed conversation and as we get into the budget process, I'll keep looking

[1:24:57 PM]

for ways to right-size the A.P.D. Budget to better reflect our priorities and our values as a city. >> Mayor Adler: Okay. Councilmember alter? >> Alter: Thank you. I want to thank councilmember harper-madison for bringing this. I know that in the tunnel of everything that is going on, it was no mean feat to put together something that would, along with the other resolutions that are being put forward, be the next step that we take as a community to reimagine public safety. I have posted some amendments to 96 on the message board and I hope they will be seen as friendly. But I did want to take a minute to just kind

of walk through them. And it's kind of hard to read and whatever on here, but I will do my best. So they are posted on the

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message board. And the first one, I think, is really important to affirm the journey that we are taking that this is a big step forward in. Which is to reimagine our -- our public safety and law enforcement in our community and so it sort of starts out the be it resolved by affirming that as our underlying goal. And then the -- the next amendment is simply adds victim services counselors, that's on page -- sorry -- page 4. Adds that to the list of public health strategic alternatives, public safety and public health strategy alternatives. And then I have added a -- an explore options for reallocating physicians and roles to new city units and departments not currently reflected in our existing organizational structure, including but not limiting

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to an [indiscernible] To violence prevention as other major cities have created. This comes out of the work that the gun violence prevention task force has been doing and they are soon to be reporting and they have a recommendation in there that suggests the different way of thinking about things that might be incorporated and this just creates the space to be able to have that conversation moving forward. Then on page 5, one of the things that I'm very cognizant of is that we did create an office of police oversight. We want to make sure that they have all of the resources and that they are involved appropriately in conversations as we go and I did -- I did work with them closely on -- on these amendments, so on page 5, where we say it includes funding for process to rewrite the Austin police department's general orders, I've added in collaboration with the office of police oversight. And on there that office's

[1:28:01 PM]

recommendation, I have put in some language that expands it to not just be use of force, but the guidelines in the following areas, including but not limited to use of force, deescalation, search and seizure, body worn camera ... Reporting requirements, [indiscernible], bias and mental health response. And then at the top of page 6, I have added a -- a part there that says to establish practices that use a scoring mechanism for disproportionnal behavior to identify at risk officers, assign appropriate interventions and use in the determination of promotions. So we have officers that -- that may be at more risk for -- for abuse of force, et cetera. And we can establish mechanisms that help us to identify them more. But we need to be able to make sure that we have the staffing and what we need to

[1:29:02 PM]

be able to do that. Then the next one suggests that we set aside sufficient reserve funds to implement forthcoming recommendations from A.P.D. Related audits, evaluations, memos and reports. And there's a list of the various things that we have taken and the steps of reform. And then at the bottom of page 6, this exempts victim services and sex crime units from cuts unless those ftes are transferred to another city department or to a newly created department. We have spent a lot of time trying to get more detectives and more resources into the sex crimes unit to address a very large number of cases that are not being prosecuted. And then on page 7, it includes additional funding to the office of police oversight and the equity office. That enables the departments to sufficiently perform their missions and fulfill council directives, including funding for additional ftes. And then on page 7, I

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introduced opportunities for outcome based budgeting and zero based budgeting frameworks to be really important mechanisms that we could deploy to try to reimagine what public safety looks like. And then finally, direct the city manager to review all grants received by the Austin police department to determine if those funds and initiatives align with and advance the council's vision for affirmed policies and practices. I hope that these will be seen as friendly. It is one of the -- difficulties of our job that we can't all talk as we're sort of forming and did not have the benefit of the resolution until Friday and so I've been working really hard to add some things that I think will help this to be the transformative resolution that I think we intend for it to be. So that we, as a city, can reimagine public safety and that we set ourselves up for successes in what is going to be a rather difficult

[1:31:08 PM]

process. >> Mayor Adler: Okay. Any further comments on 96? Or amendments or anything? Anne? >> Kitchen: >> Kitchen: Yes, I wanted to -- I have an amendment that I wanted to go over. And councilmember harper-madison, I really appreciate you highlighting access for mental health diversion. And so I wanted to add an amendment that spoke specifically to what's needed in the mental health diversion initiative. So I have it is now posted in backup to 96 as an amendment. There's a posting on the message board which I think is slightly older language, although the content is the same. So I'm just going to read it to you all. And what it does, is it adds a whereas that -- that speaks to -- you know, the current situation, which is, you know, we've got, as of

[1:32:09 PM]

December 16th, 2019, we had 23,333 calls for service in the 911 call center. With a mental health component. We have started the program last year, but it's not anywhere near scale, because the only -- we only handled 291 of those cases. As of -- as of June. That's not sufficient by any means. That indicates the need for continued development of this program. So the specific resolution states: Provide funding required to implement at full scale. The first responder mental health calls for service program, which is the title of this program. That's a program that was recommended in the 2019 meadows institute report. And is a program that directs mental health clinicians as the appropriate response for people of - that are in a mental health crisis.

[1:33:10 PM]

So the resolution says provides [indiscernible] Scale to include funding for mental health clinicians, call center training and support, equipment and technology, project management and implementation support. Then I wanted to say that that funding shall reflect at least the amount that was in the city manager's budget, both for fiscal year 2021, [indiscernible] Initiating this program. What I'm trying to say here it's important for us to direct that this program be taken to scale and to scale means at least the dollar amount that was identified as needed last year when we started this program. So councilmember Natasha harper-madison, I hope that you will consider this a friendly amendment. And then I wanted to say thank you for the amendment that -- thank you for the resolution that you brought. And I would like to -- I support that resolution, I

[1:34:11 PM]

will be voting for it. And I would like to be added as a sponsor. >> Mayor Adler: Okay, thank you. Before I forget about it, councilmember pool asked me to also repeat I think what she had put on the message board post. For -- to note as supporting and wanted to be listed as a sponsor on items 50, 95 and 96. >> Kitchen: Thank you, mayor. As you can see from my posting, this amendment related to the mental health diversion initiative is being brought by councilmember pool and myself. >> Mayor Adler: Thank you. My further discussion? On this item? 96? Councilmember harper-madison? >> Harper-madison: Yeah. I just wanted to say thank you to my colleagues for helping to make the efforts here more robust and all of the amendments that have been brought forward are considered friendly. >> Mayor Adler:

[1:35:11 PM]

Councilmember Renteria and then councilmember tovo. >> Renteria: Yes, mayor, thank you. I also want to be shown as -- as a sponsor on number 50, 96 and I believe the other one was 94. >> Mayor Adler:

Yes. >> Renteria: Yes. >> Mayor Adler: 95 is the one on limited force, we will talk about that in a moment. 94 was the first one that councilmember harper-madison spoke to. >> Renteria: Yeah, 94, 96 and 50, probably ask to be also on the 95 when we get to it. >> Mayor Adler: Gotcha, okay. Councilmember tovo? >> Tovo: Thank you. I echo the thanks of my colleagues, councilmember harper-madison for your leadership on this issue. And I had also and I apologize that I haven't posted these, but will do so after this. I had a couple suggestions.

[1:36:14 PM]

Amendments, to offer that I, too, will be considered friendly. Within line 60, I think it's still line 60, I would like to add propose adding in addition to -- you've listed public health strategies such as mental health responses and others. I would like to suggest adding housing for example case management for individuals experiencing homelessness to those public health strategies and human trafficking prevention as well. And I have -- and a little later, where you have talked between lines 92 and 94, you have discussed different -- you've called out certain mental health first responses, such as community health paramedics, I don't think this is the language councilmember kitchen that you have amended. But I may need some help lining those up. >> Kitchen: It's not. >> Tovo: Okay. I would suggest an amendment to add in here a specific

[1:37:15 PM]

reference again to mcot and also to the homelessness outreach team or host. So those are some amendments that I again hope will be friendly. And will post on the message board. As I indicated on message board, I intend to support all of the measures that have been discussed, 50, 93, I'm a co-sponsor on 94 and I intend to support 95 and 96 as well and I thank all of my colleagues for their leadership on this. Really important -- all of these important fronts. Transforming and reimagining public safety here in our city. >> Mayor Adler: Thank you, councilmember tovo. Anybody else have anything to say? All right. Let's move on to the next item then. Let's talk about item 93. Jimmy, you pulled this one, it's yours. >> Flannigan: Thank you, mayor. This one is the simplest of the four items. As the mayor pro tem said,

[1:38:18 PM]

the judicial committee -- >> Jimmy, could you speak up a little. It's hard to hear you. >> Flannigan: Sorry. My laptop sometimes changes my microphone level. >> Mayor Adler: We just all have been waiting for a long time to be able to say that to you. >> Flannigan: I know. Is this -- it's my moment to be told. As you all know, the judicial committee has been working very hard the last couple of years. Originally myself and councilmember Casar and mayor pro tem and councilmember pool, and in the more recent years

with councilmember harper-madison. As the mayor pro tem said, we have necessarily expanded that work over time to include more criminal justice reforms, because frankly it was -- if you are going to review the court, you've got to also take a look at the stuff that led the people to the court. I will talk more on Thursday about it. I think this one is pretty straightforward for

[1:39:19 PM]

everybody. I'm really grateful to my colleagues on the committee for their trust in this moment. To -- to to concept to my remaining the chair for this important committee. We're going through our process today and I'm really encouraged by what we're saying. I think -- I think, I hope, as a council, that we are reaching a level of unity and resolve that -- that I was questioning. I'm feeling a lot better today. And I'm excited about that. We all know how this goes, right? We pass resolutions and then, you know, do they get done. We've all had our resolutions had that problem. The committee is going to be where we ensure that they do. And so I hope that -- what we're doing this week in addition to -- to creating these resolutions and setting our direction and intention formally for the public and for the manager

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that I am also hearing from the council that -- that we have your trust, the four members of this committee, to -- to implement and to drive this work. Because I'm tired of our resolutions not getting done and this is not the time to relax. >> Mayor Adler: Councilmember Flannigan, thank you and all of the folks on that committee. Thank you for your leadership here. And the work everybody else has done. If this passes, and the scope of this committee changes, I just want to remind everybody that by our rules anyone can sign up to be part of committees on council. We said rules that we [indiscernible] Get handled during the work session, so if anybody wants to consider that and everybody is on subcommittees, everybody is already doing a lot of work. But I just thought that I would point that out.

[1:41:23 PM]

And then the last item to be -- >> Mayor? >> Mayor Adler: Councilmember alter and then councilmember kitchen? >> Alter: Thank you. I had -- I had spoken with Mr. Flannigan on Friday before everything was posted that I wanted to be a co-sponsor on -- on 93. I would also like to be added as a co-sponsor for -- for 94, 95 and 96. I'm assuming there's still some edits on 95 [background noise]. I think it's -- I think it's the right [indiscernible] [Background noise]. Of the judicial committee. >> Mayor Adler: Councilmember kitchen? >> Kitchen: I also feel it's [indiscernible] Right step with the judicial committee, will be voting for this, would like to be added as a co-sponsor. I would like to say, also, that I would like to work with this committee and perhaps sit in on this

[1:42:23 PM]

committee from time to time. I would be happy to work on the committee, although I'm sure a lot of us would want to, so there may be some things, councilmember Flannigan, that we can all jump in on together. I've been particularly focused on the intersection between mental health issues and policing. And it's an area that I will -- that I will continue to work on and so -- so I look forward to this -- to this -- to this -- I mean, you all have already been doing this work, so I look forward to this work continuing and broadening and I look forward to participating in this work. And -- and so. And, mayor, I want to suggest -- well, not now, let's wait until we finish through these. I have another idea that's not in these that I want to speak to. >> I would like to respond to what Anne said. >> Go ahead. >> Flannigan: Thank you, councilmember kitchen, for articulating that so well. I think you've really spoken

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to I think how this committee work will evolve. The four of us that have been on the judicial committee have really invested a lot of time and energy, not just on the work but in the community and building trust with the advocates and the organizations that have a wide range of respective, frankly, on these issues, but -- perspective. I renew and resolve to you all my commitment that I will continue to keep this council informed every step of the way so that you all can find the times where it makes most sense for your schedules and all of the busy work that I have trusted you all to do, and there's other work that you all do that I trust you to do, you know, let's all keep watching the message board because that's where those things have to live. Much like when we did our review of the municipal court, in every step of the way my amazing chief of staff Marty Byer was posting and letting people know how

[1:44:25 PM]

things will roll-out. I commit to you that we will continue that so folks can jump in and participate in the critical moments. >> Mayor Adler: Thank you, anything else on this item. Okay, councilmember Ellis. >> Ellis: I just wanted to extend my appreciation for this resolution as well. We're seeing a lot of good work coming out of the judicial and possibly soon to be the public safety committee. I really appreciate all of your work in this particular field. And I think these resolutions are really solid and look forward to supporting them. [Indiscernible] As well. So I wanted to lend my voice of support to this initiative. >> Mayor Adler: Great, thank you. Clerk, I am now getting -- getting queries as to explain the significance of why I am one of the original sponsors on all of these except for 96. And as if there was significance to that, there was not. I would ask to be added as a sponsor on 96 as well. So that's the answer to that



[1:45:26 PM]

question. >> Mayor, I don't think you were even a co-sponsor on all of them but that one. I think it's just, you know, how it goes. I think people are misrepresenting what that was. I thought you were just on the one. For reasons, right? Like it's not even a thing. >> Mayor Adler: I think that I was on all of them as posted in the agenda except for that one. >> Well. >> Mayor Adler: People are reading significance into that. [Laughter]. If they are. If not, I want to fix that, too. >> Great. >> Mayor Adler: Next item. Did you want to say something first, Kathie? >> Tovo: Sure. You know, typically we have four or five sponsors and then signify our support by voting. So this is a common situation, a little like we had early on, where others are voicing support in advance by adding themselves as co-sponsors, so given that it does seem to be taking on a significance that is different from the way we usually conduct our business, I, too, would like to ask the clerk to add me to the resolutions that we have just identified, 50,

[1:46:27 PM]

93, 95, 96, I'm already a co-sponsor on 94: Given that it is important that we show the community that we have strong support for council providing this leadership both to our city manager and to the police department leadership and to the executive management team. So -- so I think it's -- it's very -- I think it's a very strong signal from our council that we are approaching, handling our resolutions this week a little differently. >> I just want to thank you, Kathie, for that. Because I think -- I'm very much in agreement with the way you laid that out. It is not our common practice. I don't think it needs to be our common practice, but we are not in a common moment. Thank you. >> Ellis: I really do appreciate those comments. I think it was last week that we kind of learned that we could add our names in

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support as we go through work sessions or on the message board where it is public. And so I think that's kind of an ah-ha moment for a lot of us where we had thought that four or five was the limit. Five is the technical limit so you don't violate open meetings act requirements on subquorums, but in that vein I would like to be added as co-sponsor as well on all of these to show that we back your work, this is really, really good work that is really necessary at this time and want to show that we are united in doing this moving forward together. >> Mayor Adler: Sounds good. One last pulled item, item no. 95. Councilmember Casar? >> Casar: Thanks to what everybody has said so far. I think it means a lot. For everybody to be coming around together. Quickly to summarize what this item does, changing police policy and police tactics on tear gas, impact

[1:48:35 PM]

munitions, rewriting of policies with an eye towards people who are fleeing, like Mike Ramos, a specific ban on choke hold use. We did hear during this last week that choke holds have been banned in Austin for a long time. In looking at the general orders, seems like there maybe potential loopholes to that so we want to make sure that we close and make sure that choke hold use is strictly banned. Creating a policy that we want to reduce our military grade equipment to the greatest extent possible and start getting rid of military grade equipment. And to restrict police tactics that oftentimes aren't in the best interest of the public, thing like having too many [indiscernible] Or allowing facial recognition technology to be general policing tactic is not a good thing. So this would cover all of those basis. As it comes to facial recognition in particular, we never turned on facial

[1:49:37 PM]

recognition technology, [indiscernible] From the police department, we don't have a stated council policy on topic so it would be important for us to handle that now rather than have to have briefings and make a decision when that time comes. It's better I think to get ahead of that. Those are the general changes or generally what this does. I saw, would love to of course councilmember alter please do go ahead, but thank you for posting your amendments and generally I see those generally as friendly and I appreciate it for us to talk about impact munitions and similar munitions. I'm trying to come out with one more version of -- that will only have minor changes, one of the changes would be one of the things that councilmember alter mentioned, which it would be good to hear about the general orders as they are being changed before they are implemented. I think that's the intent of one of the things that

[1:50:37 PM]

councilmember alter raised. Also the more that I read about teargas, the more uncomfortable I feel with it being something that we can use. While the current bans it on first amendment activities, I'm having conversations with the community and co-sponsors and trying to do research on just potentially banning its use overall given that it is banned by the Geneva convention as a weapon of war and so its use for anything inside of the city to me is -- is questionable. >> Mayor Adler: Okay. Any further discussion on this item? Councilmember alter and then the mayor pro tem. >> Alter: Thank you. I wanted to -- to lay out my amendments, I appreciate you accepting them. So the first one, these are amendments that came out of my conversations on 96 with the office of police oversight of things that

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they thought would strengthen item 95 and so the first one just adds or similar weapons because there may be other things that we don't know about at this point that may need to be covered in there. And then -- then it -- it acknowledges the need to have the office of police oversight involved in the changes to the general orders. And also indicate the particular time limit. I did want to ask Mr. Casar if we should be implementing changes to the last further be it resolved. >> Casar: Thank you for raising that. There's been some sort of a function of government's questions around having a volunteer group, folks to decide on that class or not, given there's not a transparent way for them to vote or have that debate. Sorry one other substantive change that I think -- that I will bring hopefully in the next hour or so. Still working on that.

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It's with law. Is for council to decide once -- what changes, when the changes that have been sufficient that have been incorporated into the training to restart the classes rather than delegating that to a volunteer group where there probably would not be the level of transparency about how and when that decision would be made. >> Alter: I wanted to throw out something, more of a comments on the broader process that we are going through. A comment. I think what we are saying is that when we have new cadets, they need to have the proper training and we also there's a recruiting part that's not dealt with here. But I just, you know, I think there's folks who are interpreting this as saying we're never going to ever have a new cadet class or that we're not going to have new people coming in. And I think as we're trying to make change within an organization, one of the surest ways to do that is by having new members who are

[1:53:38 PM]

trained in the culture that you are trying to achieve. And I know that's not necessarily kind of the first step with what we're looking at. But somehow, as we're navigating this process, you know, we're not talking about revising the cadet training, et cetera, et cetera, to not have any more cadets. We really do need to acknowledge that that is one of the ways that you get culture changed. Moving forward. And I just have been hearing concerns in the community and thoughts and just wanted to just flag that, that, you know, ultimately it is one of the mechanisms that we have for making change and we just need to be aware of that. As we're navigating this process. >> Mayor Adler: Okay. Mayor pro tem? Did you want to say something? >> Garza: Yeah, sorry, I was trying to find my mute button. I'm sorry, I haven't had a chance to talk to

[1:54:40 PM]

councilmember Casar, I'm a co-sponsor on this resolution. He just turned off his video. [Laughter]. But there isn't -- I hadn't noticed that there wasn't a -- wasn't a -- kind of a report back because either to councilmember Flannigan's point about -- about having -- about having reach of us having the -- the situation where we've done resolutions and having gotten back the response that we were either -- either expecting -- I know that I felt that way with my fire station resolutions. I think we ended up at about four until we were finally able to -- to get one, which -- which I just got invited to a groundbreaking in July, sorry, just really excited about that. In del valle. And so, you know, the other example being the decriminalizing marijuana and then the very next day seeing a press conference that meant nothing to -- to

[1:55:42 PM]

the police department. I would suggest maybe we add some kind of -- report back pretty quickly that shows -- from assistance city manager rey Arellano and the chief, how they plan to implement the -- the -- the resolution and all of the other ones and -- and, if not, why. And so, anyway, I would just offer that as -- either a friendly amendment or if you have any thoughts on it, councilmember Casar? >> Casar: I think we'll be -- that's the kind of thing that we're working on. Looking at your resolution, mayor pro tem and councilmember harper-madison's, you will have some of those report back provisions so I think that's what we are trying to square up, to make sure that the process is similar across the resolutions and it's important, I think your point is right on. And I think councilmember alter mentioned this in her amendments. It would be very important for us to see the work, see

[1:56:44 PM]

it quickly, and know how it's going to be implemented before the -- before the decision is made on how to interpret our resolutions. So we will make sure that's in there. >> Mayor Adler: Okay. Councilmember tovo? Then councilmember Ellis. >> Tovo: I have a couple of quick questions for our police department. I think that we have somebody online. I have heard different things about choke holds and I thought that I had heard a comment last week in our session, in our briefing on Friday, that choke hold use is currently prohibited. If it can't be answered now, it would just be -- it would be -- I would like that clarified. Because I thought that comment had been made that it was prohibited and I wanted to know if it was currently or would only be after this passage. >> Mayor?

[1:57:44 PM]

>> Yes, councilmember Casar. >> Casar: Councilmember tovo, in my asking of this question, I heard it's generally prohibited but there's an improvisation of our general orders that could create the opportunity for that to happen and we should go look at that section to make sure that we weren't

creating a -- creating a permissibility of choke holds. So that's part of why the language is to really strictly prohibit the use of choke holds, not just in general, but also -- also make sure that there's not loopholes that allow for it, if that makes sense. >> Tovo: Yeah, thank you. >> Mayor Adler: Councilmember Ellis? >> Ellis: Hi, this is already touched on so I'm glad to see the conversation happening. But I also was curious of the language around people exercising their first amendment rights and wanted to make sure it was interpreted more broadly. So it wasn't that the rule only applied when people were seen as protesting, but that tear gas and impact

[1:58:44 PM]

munitions were something that were either banned altogether or figuring out that line where it protects as many people as possible. But looks like you and councilmember alter were already thinking along those lines as well. >> That's exactly right, councilmember Ellis. That's where I think the most substantive change that I would do is let's just not do tear gas period and on the impact munitions front, I think that you are so we're working with the law department to make sure it's really clear, that we want to prohibit some of what we saw during the demonstrations, what happened to some of those protesters, and I think this is really just council having to step up and respond to the testimony that we heard. And so I think you're right to have pointed it out and that's why we're working with the law department to make that really clear. But I appreciate you raising that. >> Thank you. Because we were talking about

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issues revolving around the cadet class, I just wanted to provide an extra layer that last December councilmember harper-madison brought up the training and recruitment. So if maybe somebody is watching from home, that maybe didn't watch in December, it was something that has definitely been a concern for council and something that city staff has been looking at ongoing. This is a continuation of that conversation. >> Mayor Adler: All right. Thank you. Anything else? Councilmember kitchen? >> Kitchen: Yes, I think it's very important for the council to address the use of force issues. I appreciate this resolution. And I will be voting for it and (indiscernible).

[2:00:53 PM]

I would also like to comment on a different -- we're not hearing you, mayor. >> Mayor Adler: Sorry about that. Yes, go ahead, Ann. >> Kitchen: This is actually a different item. It's something that I wanted to -- that I'll be working on. And with, you know, with many others -- I mean, we have a legislative group, a legislative committee, but I wanted to point out that there's a number of things we need to address at a state level. And I just want to reemphasize, I know we have a number of things already in our

legislative agenda, but I think we need to go back and decide whether or not we want to get more specific. I know there are areas we want to get more specific with regard to mental health issues and policing. And there may be other areas also. So that's important for us to do. I want to point out that there are long-standing issues related

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to the role that the police have played with mental health issues. And that perhaps some of those functions perhaps need to be opened up in state law as paramedics. And mental health professionals. So I will be bringing something related to that for our state legislative agenda. And I know others have worked on the state legislative agenda, so anyone who would like to work on that is certainly welcome. >> Mayor Adler: Thank you. Councilmember alter? >> Alter: Thank you. I would be happy to work with you. >> Kitchen: Okay. >> Alter: On that. So I've been doing a lot of thinking, and I'm really proud of our council today that we are unanimously acknowledging that

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we have a problem, and committing ourselves to reimagining what public safety looks like. Over the weekend I took some time to re-listen to our briefing and reflect on the testimony that we're calling for structural change. And I think it's really critical that we understand that the events from two weekends ago did not occur in a vacuum. And we as a council are recognizing the institutional problems that we're dealing with. I think that recognizing it and admitting those problems is the first step, and I'm glad that the council has passed step one, and working on what comes next. I really truly believe we need transformation. And as I went through item 96, what was nagging me was not what it said, but what it didn't say. And how it didn't get us to the

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transformation that we want in one fell swoop. But I believe we need transformation, and to do that, I think we need a new vision of what public safety looks like in our city. We need to breathe new air into the department that time and time again has come up short, from the way it treats survivors of sexual assault, to worsening racial profiling issues to departmental (indiscernible) Speak out as we saw in the (indiscernible) Report, to unjustified and unacceptable use of force resulting in horrible injury. This is really difficult for me to say, but I believe that for this point in time, we need different leadership of our public safety department. And I respect greatly chief Manley, and his service, and his

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leadership. But the first step forward is a commitment to make change. And if we can't admit that we have a problem, then we're not going to be in a position to make change. This really came home to me as I re-listened to the briefing, and the responses to my questions. I was really looking for a commitment to cultural change, which I didn't find there. I'm not sure that that commitment is in the upper leadership, with miss Soriano or chief gay either. This is not to say that these gentlemen don't give everything to our city and that they haven't served admirably and led us in a very difficult time. But I am concerned that we need different leadership for where we are.

[2:05:57 PM]

And I did speak to Spencer this morning, and I just -- I feel like I needed to share it with you all as well, because we can't make this transformation if we can't bring the whole community along, and if we can't make the cultural leap that we need to make, every reform that we put on the table is not going to do anything. And again, this is not what comes naturally to me. I am much more disciplined and, you know, would have liked to do this in a different way, but I -- you know, the moment demands of us new leadership and I think we need to recognize that we need to build confidence in our system moving forward and that may require change. At the very least, it requires a commitment to make that change. Thank you. >> Mayor Adler: Thank you.

[2:07:00 PM]

Colleagues, I think that's all of the items that we have pulled. Jimmy, you were half correct. I'm shown as sponsor on 93, 94, 95, 96, but not your 93. I would ask to be listed on 93 as well. >> Flannigan: Thank you, mayor. >> Mayor Adler: As a sponsor. Councilmember Renteria? >> I can't hear. >> Renteria: This has nothing to do with the agenda, but with great sadness that I want to announce that a good friend of mine passed away this weekend. She was a daughter, a grandma kamacho, and she was a very active leader there at ab can Dan, of our board in for many years until she (indiscernible).

[2:08:02 PM]

But she passed away this weekend. I want to give my condolences to the family. Thank you for letting me say that. >> Mayor Adler: Thank you. We share our condolences with the family as well. Alison? >> Alter: I'm getting a couple of texts to which items I signed on to. >> Mayor Adler: Okay. Yes? >> I just want to ask, it sounds like everybody's on all of them, but I'm just wondering if that's something -- so there's no -- that's something we can do on Thursday. (Indiscernible) Package these together, but that sounds like that might be the thing to do. So I guess I started -- I know

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this isn't a book-end, because I see other hands going up, and it's not meant to be a book-end, but I just want to recognize the beginning of this conversation, and with councilmember alter's comment. It's an important for us to re-look at things and to re-evaluate things and to be courageous and to have these difficult discussions, and I -- there's going to be a lot more hard conversations for us to have, and I think -- I know -- I feel we're moving in the right direction, but for many of us, we feel like we have been shouting from the rooftops, and -- but I'm glad that we're here, and look forward to the continued work.

>> Mayor Adler: Thank you. Councilmember pool?

[2:10:05 PM]

>> Pool: Thanks, mayor. Originally I had indicated I would sign up on the three that were justice reform. But the committee bringing that back, that's fine. I'm happy to be a co-sponsor on that. And also on the tenant provisions. That one, sure, I'm happy to be also noted as a co-sponsor on that one as well. >> Mayor Adler: Item 50. >> Pool: I just want to say also, that our concerns about (indiscernible) Justice reform and social issues, civil rights, women's rights, all of these prressive issues, some people have been entrenched on them for a long time, and it doesn't take anything away from any of us, whether we've been in the trenches a short time or a long time. These are solid foundational

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tenets of our American democracy. And they are most clearly seen in the party that I belong to, which is the democratic party. And so I just want to say how pleased I am as well that we are seeing significant movement forward on the structural change that we really need to do. The police, as I said last week, are the most visible and most current indicator that we need to have structural reform, but frankly, it cuts across all areas. And so we would be remiss if we didn't make note of that. There are significant issues in front of our school districts. As a mom whose daughter went through from pre-k to graduating from high school, with Austin

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independent school district, and at the time married to a teacher, I could see that very clearly. But what is pretty darn exciting about where we are today is that the entire -- not just our city and our state, but the nation, and frankly, the globe is recognizing that we really are at the tipping point, and we should all



take advantage of being in this place. And so to speak as a unified council is really powerful, and just to reiterate, we are all in this together, and we can see that we are stronger together when we stand together. Thank you. >> Mayor Adler: Thank you. Councilmember Flannigan? >> Flannigan: I'm really excited about this. And I'll think more about how to note the moment when we get to Thursday.

[2:13:10 PM]

But this council, the 11 of us, we've been in some very difficult work for the last 18 months, and we haven't always been together. And that's been hard. And I certainly have a renewed appreciation for how this can be done differently, and I am committing to think about the work differently, too. And I want my colleagues to know that. I also want to add that this is not just a problem that our city faces. I don't know if you saw the story from Williamson county. That case was the Williamson county sheriff's department. It happened ultimately in the city of Austin, but the sheriff's department was involved, and I know the responsible agency for that action. And at the commissioner's court in Williamson county, two

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commissioners called for sheriff choedy to resign. Commissioner Terry cook and commissioner Cynthia long. And it is not lost on me that these two commissioners are the two Williamson county commissioners that represent my part of the city of Austin. And I am so proud of them standing up for that, because they are not in the same party. This work is bipartisan. This work crosses the cultural divide. If we really sit down and do the work, there is a small government, fiscal conservative approach, we're talking about the biggest policy and make it smaller. How are we not all excited to see how that would go. I'm mostly talking to the public right now. Because ultimately I want to save this for Thursday, but I'm so thankful that the 11 of us

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are all in it. And I truly believe we're all in this together and I'm so excited about it. >> Mayor Adler: Okay. Thank you. I'm going to close this out. Here at 2:15, I'll stop the way I started early in the morning. We'll probably have a lot of speakers signed up. We're going to do this the way we've done it in the past. People that have signed up to speak on, I think, all the I tempts except for those five will be called at 9:00, as we have been doing in our past meetings, we're going to bundle together those five items, 50 through 96, and the first 20 or so speakers will get three minutes each. After that, they'll get one minute. The intent is to have everybody speak no more than once for us. We have about 120 people signed

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up for those five. As of when we started our meeting this morning. I don't know what the count is now. About 30 people signed up on zoning which will be called at 2:00. And another five it looked like on the non-zoning items, not part of that package of five. And with that said, it is -- >> Mayor? >> Mayor Adler: Go ahead. >> I'm sorry. It kind of was a question. I want to make sure. Because I'm also getting from my staff asking -- the clerk is asking if it's okay to add everybody, and the person that hasn't (indiscernible) Is councilmember Ellis. I can't talk to councilmember Ellis about (indiscernible). Is there a process that everybody gets their names on all the items that we're talking about? >> Mayor Adler: You can put their name on an open meeting

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like this, or they can go on the message board and add their name as a co-sponsor on anything. You just can't -- you can make your public declaration either here or there. >> Okay. So post on the message board -- >> Mayor Adler: Councilmember Ellis? >> Ellis: I did ask to be added, 50, 93, 94, 95 and 96, so the clerk can add that. >> So this is the clerk's office. We've got it all down. >> Kitchen: I'm sorry. Is someone else speaking? I can't hear. >> Mayor Adler: Everybody has signed up on all five things. >> Kitchen: And I would ask the clerk to make that change right away, so that it is clear, and that we're not putting it on our corrections sheet for Thursday. But that it go on the meeting agenda now. >> I'll have to -- this is

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shanette. I'll have to confirm with law. I don't know if we can adjust the agenda, because we're within -- >> Kitchen: It seems to me [lapse in audio]. >> The best way to handle that is to put it on the message board, and of course the public has heard this entire conversation, that each one of you wants to be a co-sponsor on each of the five items. It's in the public realm now. We can't create a new agenda for Thursday, though. >> Kitchen: With all due respect, the agenda is also on electronically, on our website. I'm not understanding why that can't be changed. And I would ask that it be changed. You know, I hear what you're saying, and understand that. But communication is critical in this process. And it is difficult - - we have a lot, a lot of folks that I'm so happy are being involved now, and it's new for them and they

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may not know all the processes. >> If I might, Ann. >> Kitchen: Great. >> I have an option, that we routinely add stuff to the agenda as backup items. So another option, city attorney, if there are legal issues about the body of the text, there can always be an additional backup item listing the co-sponsors. >> Kitchen: Thank you, Jimmy. >> And mayor, this is shanette. >> Mayor Adler: And a backup to the agenda. >> Yes, we can do that. And mayor, this is shanette -- >> Are you saying not in changes and corrections? >> Mayor Adler: It probably needs to be there as well. >> Right. >> Mayor Adler: Because (indiscernible). 72 hours before a meeting, we can't change an agenda to a meeting. >> Right. >> Mayor Adler: But we can post a backup to the agenda, so they can go to it and see that backup. And because it's a change and we don't want it to get loss, we'll

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also make it a part of the changes and corrections. >> Thanks, mayor. >> Mayor, this is shanette. Just to clarify, you said speakers would be taken at 9:00, and I just want to clarify that it's 10:00. >> Mayor Adler: 10:00. I would anticipate with ha we have, we're probably not going to be able to deliberate anything in the morning. So we'll get to the speakers as quickly as we can. I would also say, we're continuing work with the speaker system. We're going to try something new this next meeting. If there is a speaker that is speaking, that you want to stay after you're done speaking, then raise your hand, while that speaker (indiscernible) And the clerk will try to see if anybody does that on the dais, and then we'll try to keep that person on the phone and not be disconnected. There were a (indiscernible). We'll try to address that.

[2:21:21 PM]

Yes, councilmember kitchen? >> Kitchen: Mayor, I would also remind us that we have a press conference scheduled, and it's posted so that we all can participate on Thursday. So that means we probably won't start at 10:00 A.M. But it should be shortly after that. >> Mayor Adler: Okay. >> Ann, what time is the press conference? We can't see anything in our e-mails. >> Kitchen: Well, I want to thank councilmember Casar for -- I worked with councilmember Casar on that. I want to thank him for posting it. I think it was 10:00 -- I'll have to look it up. Councilmember Casar, do you want to help me with that? >> Casar: We posted that we could get together at 10:10 A.M., that was the soonest that it could be posted. But I will leave it to the group to decide whether we want to utilize that slot or not. It just exists. I thought it would be a good thing for us to discuss at the end of the work session here,

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whether that's the slot we want to use. I think the powerful message has been sent by everyone cosponsoring the items. So we don't know if we need it. But if we would like to use that, I think that

there is an important message to be sent there, that they're supporting all the items in this work. So if we could use that at 10:10 A.M., we could do that if we so chose. And councilmember kitchen requested that with me, so I would also want to know what she thought as well about using that slot. >> Mayor Adler: Okay. Mayor pro tem Garza? >> Garza: I was just curious, I mean, whether we're in another webex together, it would be an exact same thing as we're doing right now, which would be in the council meetings. So I wonder if we could do the two minutes, mayor, and maybe that happens before we start

[2:23:22 PM]

hearing speakers, what you did in the last -- this is just a suggestion. Instead of going -- I assume there was another link to join at 10:10 and joining back here, but we're all going to be here together anyway. So maybe just to give everybody two minutes to give their remarks on all that package of items, it does essentially the same thing. >> Mayor Adler: Okay. I'll take that suggestion, since we're all going to be together. If that changes, let me know. How about I give everybody the same two minutes to start the meeting. I would suggest that we start as quickly as you can, just because we anticipate a lot of speakers. And it will go late. And we deliberate on these things (indiscernible) As well. Why don't you guys think about that, Greg and Ann and Natasha, and put something on the message board and let us all know. >> Kitchen: Mayor, I could just make a suggestion here. I think what people are

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suggesting makes sense to me. I think it would be useful, since it is posted as a press conference, I think it's written that way, that we just let the press know that we will be taking two minutes at the beginning of our meeting so that people can make a statement. >> Mayor Adler: Okay. We'll do that. >> Casar: That makes sense. >> Mayor Adler: If the pro will let the media know that we'll start off the meeting to give each councilmember a chance to speak to this. Anything else? At 2 schrn 24 then, we'll conclude our work session. It kind of feels like we took a vote today, but of course, we did not, because we're not allowed to take votes during a work session. But it is 2:24 and this meeting is adjourned.