

City Council Work Session Transcript – 09/29/2020

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[9:06:28 AM]

>> Mayor Adler: We will go ahead and convene the meeting. Today is work session here on September 29th, 2020. This is happening virtually. It is 9:06 and we're going to begin the council work session. Colleagues, I thought we would start with a the briefings as we do, beginning with the covid briefing so that our staff can get over to the county. When we're down with that briefing we'll get the saves briefing. Councilmember tovo has pulled item number 52 so I think we'll do that pulled item at the same time we do the briefing since we'll have the staff here to speak on saves. That seems to make sense. And hopefully we can get all those briefings done before lunch, anticipating breaking

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at noon for an hour or so for lunch. We also have the -- other than we have the better business bureau pulled item 12 so staff with speak to that. We'll either do that before lunch or right after lunch. And then we have the executive session today.

>> Kitchen: Mayor?

>> Mayor Adler: An economic development funding item. Yes, councilmember kitchen?

>> Kitchen: I was thinking, and I apologize if I didn't look right. I was thinking we had the nursing home report. Is that not today?

>> Mayor Adler: Yes, I think it's part of the covid briefing.

>> Kitchen: Okay. It will be part of that, thank you.

>> Mayor Adler: All right. So if everybody is ready, then we'll go ahead and start. Manager, we'll go to the covid briefing. Good to see the numbers coming down as low as they

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are. I think that's largely due to a community that's so religiously adopting masking. And it's really good. And I want to thank the community and everybody should be proud of one another for doing that. As we go through the numbers, I'm sure that we'll talk about the risks too, but I just wanted to lay that out there. We see -- in the reminder that we see right now, 21 states in the country that got low numbers and are now watching their numbers rise. We have countries, Israel and others, that got to really, really a low place and are now moving back to lockdowns. So this is the kind of thing that if we lose the discipline as a community we're going to lose the status that we have right now that's enabling us to open schools and to further open businesses and to have people gather.

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The science that's being presented to us more and more points to the efficacy of masking and social distancing that they actually do work. So with that said, I really appreciate our health department, Dr. Escott making sure the community understands that and pushing the messaging very hard because it's just so critical. Thanks. You guys are working really hard. Manager, you can open that up.

>> Cronk: Thank you, mayor. There are a lot of promising trends that are happening in our community, but that is no reason for us to lay off the important messaging and practices that we have gotten used to over the last few months. Mayor, council, good morning. I'm going to pass it right over to director Hayden to lead off this covid briefing.

>> Thank you, Spencer. Good morning. Thank you all again for the opportunity. As the mayor said, and Spencer said; covid is going to continue to be with us.

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We are at a point where we are seeing quite a bit of things to be excited about, but we must continue the path that we're on. We cannot get comfortable. As we cross over and finish out this year, we must continue all of the efforts that we have in place. We understand that the federal funding will end as of December of this year, but we must continue to provide testing and contact tracing. Our case investigation, our surveillance and our enforcement, those efforts have really helped us as a city and a county to be in this place that we are in, and so, you know, we have to just flag it for you they'll that federal funding is slated to end in December. Our epidemiologists and surveillance team are providing additional support

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to schools, higher education, long-term care and other non-nursing home sites. We've added additional nursing and epidemiologists to our team and they are providing more investigations, but then providing some technical assistance and doing some surveillance as needed. We continue to receive word from the state last week on the 21st. We received word that the state would be sending us three batches of lab work that was going to be sent to us, and that was sent to us late last week. And our staff have verified over 1300 positive labs. We did have those in our system. So I think for us having our sales force which we've changed the name in place has allowed our staff to

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query and look up those positives and determine if we had those labs. So successfully we had the majority of them. With our testing, we're continuing our testing at dove springs, givens and walnut creek communities and last week we added the montopolis neighborhood center. Now, each of those locations have day, evening and weekend hours as well as our drive-up-site at St. John's. So it's important for us to remember that the services that we're providing, we're also continuing to provide at-home testing and really for those vulnerable populations we are willing to come and spend a team over to provide the testing for you. Just reach out to you on the website or call our nurse line and schedule an

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appointment. In order to ensure that we are providing more culturally appropriate services, we did enter into a contract with the central Texas allied health patient care technicians and they are using some of their students and they are reflective of the %-@populations to administer the covid-19 testing. With our long-term care testing we have provided a total of 18,572 tests in 48 long-term care facilities. As hospital of you know the governor opened up last week so those facilities are allowing family members to come into long-term care facilities and nursing homes. So that has been a change. And we're continuing -- our team meets with them weekly and we discuss any concerns that they may have. With our homeless update,

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we're continuing to provide surveillance testing, working with community care at Dell medical school. Recently did a series of tests of 100 individuals in the downtown area and there was one person that tested positive and we typically get them over to the isolation facility. We're going to do our food access with the eating apart together program to provide those services. Our hygiene services have continued and we are providing some walk-in services atter roses so branch library and we are providing basic need services and also providing masks for our homeless

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folks. Our pro lodges are open and providing vaccines for folks at the pro lodges to ensure that they get their flu vaccine. As you know, we are really, really pushing the flu vaccine. Last year our emergency room and hospitals were overwhelmed just with the flu season that we had last year so it's really important for us to really emphasize the importance of getting them. Flu season starts October 1st. We are continuing with our protect yourself and protect your family campaign and so as of today our staff have distributed over 4,000 kits. We are providing those kits at various locations in our community and our website provides the information at

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our www.austintexas.ppe calendar and we are developing a plan that will take us through the end of the year. On yesterday, I sent out a memo about the high risk workers memo and it just basically talked about our process of working with the Austin area urban league, Austin voices of education and you and our workers defense fund. So they are going to come together and be able to provide a central line for workers to call with questions but they will receive information advice, legal case management, information about how to access unemployment insurance benefits. And so any type of assistance they may need

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that will be set up for them as well as the financial assistance. With our childcare and schools we're continuing to conduct outreach services in our childcare centers that are in our six focus zip codes to provide the technical assistance to them. We are transitioning to online reporting for public schools to submit to us weekly. Just as a reminder, we still receive those results as we normal I do do with any results, but this provides just a second layer for that team to be able to reach out and make sure we're having those services with school staff and this includes charter and private schools. Our staff hosts a call with the covid-19 points of contact with public and

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private schools and we are doing the same with our higher education. Our environmental health staff continue to provide technical assistance to business owners and restaurants in those same target zip codes and they are providing services in the downtown area. We're teaming up with Austin fire department, APD and code enforcement on those efforts. We will continue what we're calling kind 6:00 compliance sweeps. We typically do those Thursday through the weekend and the goal of that is to ensure the health and safety of our community, but ensure that everyone is in compliance with our orders from our health authority and our mayor. That concludes my report. I am going to turn it over to Dr. Escott.

[9:20:02 AM]

>> Dr. Escott: Thank you, Stephanie. If I can get av to pull up my slides. I'll try to get my camera situated here. Okay, thank you, mayor and council for the opportunity to provide an update on covid-19 K next slide, please. This graph is showing us again the confirmed new cases in Travis county with the yellow line being the seven-day moving average. Our new cases yesterday were 91, which gives us a moving average of 106. You can see that we've had some oscillation in cases over the past three weeks. As director Hayden said, part of this is due to a backlog of cases that have been reported to us from the state.

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Last week somewhere around a third of the cases reported were older than 14 days. Our epi team is working on a data output that's going to provide us with a daily inventory of new cases versus old cases or those cases that are no longer active at the time of reporting so that we can provide you and the public some more clarity on a day-to-day raises recording new versus old. We're hopeful that the backlog of cases will be updated as the state has upgraded their system, but we want to make sure when we do face that second wave in lab results that may be delayed once again that we have ongoing ideas of new versus old. Next slide, please. Mayor and council, this is a new slide and this is showing the active cases. I've included the active cases since our peak back in

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early July to give you an idea of what our active cases have looked like over the past month's. While you have seen oscillations in the new cases, the active cases have been relatively flat. Our current active cases, 692 with a moving average of 716. Again, over the past three weeks it's oscillated between 650

and 750, but relatively flat in terms of active cases. Again, these are individuals in the community that are capable of transmitting disease that we know of, and luckily it's been relatively flat with a continuing downward trend which we're happy to see. Next slide, please. This is a graph of our new admissions. Again, the yellow is the seven-day moving average. Our new admissions yesterday were four.

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So again, we had another single digit day which is exciting. That brought down our moving average to 13. You can see that over the past week or so we had a significant bounce in terms of cases with some admissions -- with some oscillations between a moving average of 12 and deign 18. Again, this is one of our key indicators because this is not going to be affected by laboratory delays. It's not going to be affected by new versus old cases. And it is a good predictor of actual case burden in the community. Again, we're seeing a downward trend once again and hopefully we can continue that downward trend. As a reminder we want to get under 10 in that seven-day moving average in order to break that threshold for stage 2 of risk and I'm

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thinking we can get there this fall. Next slide. This is the total hospital beds being utilized. The gray is icu beds and the Orange is ventilators being used. Our hospitalizations yesterday were 78 with a moving average of 85 and that's been flat for the past 10 days. We've been's still lating a little bit, but the trend has been relatively flat. In terms of icu beds, reported 19 yesterday with a moving average of 26. And again oscillating in a tight margin between 26 and 28 over the past week. Similarly vent till lateres were 16, moving average of 17, also relatively flat over the past week. This is an update of our break down of hospitalizations by week in terms of race and ethnicity.

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This week our green line which represents our individuals who identified as hispanic on their admission to the hospital decreased from 50% to 48.1% and our African-American population represented by the blue line, 15.1% to 12.5%. Again, decreases in both areas, however we still see the disproportionate impact on our communities of color as it relates to covid-19 so again our efforts that director Hayden mentioned focused on our communities of color will continue and we appreciate our partners in Travis county, our community partners, as well as the private businesses who have ended their support in providing ppe and other -- other measures to help mitigate the spread in these particular

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communities. Next slide, please. This is an update of our hospitalizations by age group. The gray line that I pointed to over the past couple of weeks is decreasing. That's our 10 to 19 age group. Last week it was 7.1 percent of our hospitalizations. This week 2.7%. The gray line -- sorry, the yellow line bright yellow line is the 20 to 29 age group that has seen an increased increase from hospitalizations. So between these two age groups, about one in five of our hospitalizations in the last week were individuals between 10 and 29 years old. So again this is to stress the point that these age groups, while they are less

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likely to be hospitalized and a lot less likely to die from covid-19, they are still being significantly impacted. And once again we're calling on our teenagers and our college age students to be link will not, to be cautious -- vigilant, to be cautious. They need to be masking and to use personal hygiene amongst themselves and certainly to other members of the community. This is an update of our weekly positivity rates. I want to point out that again as we received a lot of old cases, thousands of old cases, both positives and negatives from the state, we've had some adjustments over the past several weeks.

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Week 35 was previously reported at 4.9%. 4.7%, now 4.9%. Week 36 was 5.4%, now 6.3%. And week 37 was 4.4%, now 5.4%. The last week that we're reporting, week 38, 4.3%. Again, we've got some data for week 39, which was last week, which is even lower than the 4.3. Again, these numbers are going to be subject to change as new data comes in. Sometimes they'll move up, sometimes they'll move down. So we'll continue to update these positivity rates as Austin public health receives new data. Next slide, please. This is a breakdown of the same data by race and

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ethnicity. Again, our concern in the past has been amongst our speak and latinx community, which is represented by the gray bar. You can see week after week we've had improvements in the positivity rate, but still it is the only race or ethnicity that is above five percent. We're happy that it's down to eight percent now in week 39, but again we need to continue to focus on this community to further decrease that positivity rate. All other races and ethnicities are under five percent at this stage. Again, this is the same data broken down by age group. In the past several weeks I've talked about the gold bar, which is the 10 to 19 age group. We have seen a significant decline in positivity amongst this group over the

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past four weeks and we've seen a decrease in the group next to it, the gray bar which is our 20 to 29 age group. Both of those are above the five percent mark, but we're happy to see the progress of the positivity rates coming down. Again, our young people need to pay diplomacy attention. They need to -- close attention. They need to practice the same behaviors that we're asking the rest of the community to do. And if we do this together as the mayor said earlier, we can keep our scoops open, keep our restaurants and businesses open and we can continue to keep our case numbers down. The big mistake that we've seen across the country and across the world is pandemic fatigue. People getting tired of these actions thinking that we're safer than we have been in the past. As director Hayden said the virus still throughout.

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And if we stop the protective behaviors it will manifest in new cases, hospitalizations and deaths. As long as we stick to those, as long as we stay vigilant about those, we can keep our cases down, we can keep the hospitalizations down and we can keep our desks down. Next slide, please. Mayor and council, this is an update regarding reports to our Austin public health nurse line. As director Hayden mentioned earlier, right now we're getting phone calls in from the schools to report cases. There's an electronic method that's out there as well that Beal be transitioning to. This is a briefing of those reports over the past month or so since eight 16. So covid positive students in Travis county for the week ending 9-26, we had one case reported. A total of 24 since 8-16. Staff we've had three positives with 21 positives

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since 8-16. Close contacts or those identified as individuals who need to quarantine as a result of these cases. 37 for last week and 63 total since 8-16 for students. And staff, seven last week and 53 total since 8-16. Again, the data that we have right now still indicates to us that transmission disease is happening in schools in extracurricular activities, football, cheerleading, band, activities like that, and we don't have any evidence right now between students and staff. So these are ongoing, it's

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imperative that people are screening themselves before they leave their house. If they're a student, if they go to school as an employee. If they leave their house for any reason they need to do a symptom

check, check their temperature and if everything is normal then they go out. If not, go home, be protective and protect their co-workers and fellow students in the circumstance of students. If we can do that then we can really decrease the transmission risk in our schools and keep the schools healthy. Next slide, please. This is an update of our dashboard related to positivity rates across our community. Again, this is available on our austintexas.gov/covid-19. One of our many dashboards which are available. You can see that since last week there's been some significant shifts in positivity rights. Last week I told you my zip

[9:34:21 AM]

code was twice the community average. This week it's below the community average. But there's going to be weekly shifts in positivity rates and this is a way that our community can interact with the data and understand what transmission is like in their community. Again, these are showing zip codes where people live. It's not necessarily indicating where they were exposed. So it's important that folks keep that in mind, but this will highlight the highest increases as compared to the previous week compared to positivities, the highest positive zip codes as well as the highest increase in new cases in the last week. So it's incredibly useful tool for folks to use when they're determining their risk for their particular household or their community. Next slide, please.

>> Mayor and council, this is an update of our

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long-term care facility dashboard. Again, we've reported 63 cases in the past 14 days. 19 in the past 28 days. And again, this is another dashboard available on our website that folks can monitor for progression in our nursing home and long-term care facilities. Again, we're grateful to our aph staff who are managing these sites and our teams, our task force for nursing homes and our task force for schools who are doing a great job of engaging with those particular communities to ensure that our data is accurate as possible. And that strike forces -- strike teams are deployed to those entities that are in need. Next slide, please. Mayor and council, once again we're still in stage 3. Our seven-day moving average of hospitalizations is at 13. Our positivity rate right

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now is between four and five% so we're still solidly in stage three. Again through continued community vigilance, in masking and social distancing and personal hygiene and in personal that self-screen before folks leave home, we can push this down to stage two but it's going to take that ongoing commitment in the coming weeks and months in advance of a vaccine. With that, I'll turn it back to you for questions.

>> Mayor Adler: Dr. Escott, thank you. We also want to see the nursing home presentation here in a moment, but to ask you questions in case you need to leave to get to the county. I have some just real quick K in fact, if the folks could take us off the presentation for a second. A couple of points I want to

[9:37:24 AM]

hit on first. It's good to see the percentages of all operations go below five percent. It's still a concern that the Latino population is below five percent, but it's good to see it's dropping. My recollection is that the percent positivity in the Latino community, which is something that you and director Hayden are looking at, continuously comparing that data with community care. Community care runs that percentage for its clients and historical through their numbers for positivity have been much higher in the Latino community than ours because it's dealing with a Latino community which is even more highly concentrated with the central workers and parts of the community that don't otherwise have insurance. My understanding is that their positivity rate here in their most recent numbers, also for the Latino community, below 10%. A little bit higher than

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ours in eighth or ninth, but they've dropped below 10% as well. That's right, isn't it, Dr. Escott?

>> Yes, sir. I think their positivity rate for last week, again they have partial data, was under five percent.

>> Mayor Adler: For the overall population.

>> Dr. Escott:

>> Correct K.

>> Mayor Adler: For the Latino population I think it was 9-point something so I think that's a real good thing to see. With respect to the cases that we're seeing increased number of students, increased number of both high school, middle school students, also university of Texas students, while we see increases in our areas, they seem to be contained within those student population and not spreading outside of those student populations into the wider community, that is correct?

>> Dr. Escott: Yes, sir, we're working close we with the university of Texas that works with us as part of the

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contact tracing and we cannot veteran able to link a student case with an outside member of the community. Generally they're spreading amongst themselves and we're really trying to hit home that message. You know, we'd love for them to not interact face to face without protective behaviors, protective masking on, but if thank going to do it, it's really essential that they not interact with people in the outside community, particularly those that will be more vulnerable, those over the age of 65 and those with underlying health conditions and I think they're doing a good job.

>> Mayor Adler: I want to note for a second and thank you, but egg especially director Hayden and her staff for implementing at this point and talking to us now about reaching out to those essential workers to provide about the support for isolation, support for income, support for expertise, and I know those efforts have been gearing

[9:40:26 AM]

up, but it was identified as a critical need and that's up and working now and it's good to see that. And then finally, today or tomorrow you're working with me, director Hayden, to update and reissue the order for the -- the mayor's order associated with covid and I appreciate as always the direction and assistance that comes from the two of you. I think that probably the update tomorrow or the next day is going to bring us into closer compliance with some of the eviction stuff that's happening at the statewide level in our JP courts, but also we're looking at the activity on the bars that are now able to operate now as restaurants and I don't know where we are in terms of -- I don't know if we're going to wait to see if we have a better indicator or whether it's something that we're going to address now, but

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there's some concern associated with the operation of the bars that are now open under the governor's order associated as restaurants. But I don't know if this is for you or for director Hayden. Have we looked at the bars on the west sixth street area or other areas to see how that activity is going?

>> Yes. We have a team that with our environmental health sanitarians as well as our code compliance, code and Austin fire department folks, they started the process about three weeks ago. And what they're doing is that they're calling them compliance sweeps and basically checking to enspur that folks are in compliance with the face coverings as well as social distancing and then looking at capacity

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in those facilities as well. So they will continue to do that. Initially when they started, we issued several warning citations which eventually will turn into an actual ticket once we move into code enforcement. And so we are seeing more compliance in those areas.

>> Mayor Adler: If it's necessary for us to enter an order that says to those restaurant bars type situations that we're going to require the same kind of rules for both restaurants and bars in those situations so that you have to be seated if you're seating and drinking and make that apply to the bars that are operating as restaurants with the association, please let me know so I can make sure that we incorporate that kind of requirement into the and probably the

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every day which has the testing that they are doing at the university of Texas students .. You can see the number of students and faculty showing up as positive. Also with surveillance testing that they are doing, pop-up testing in the west campus area and other areas that you can track those numbers there is obviously an elevated number to some degree it has been coming down as with the rest of the numbers, and the information we have at this point is it has been contained within those -- colleagues, do you have any questions? Councilmember harper-madison.

>> Harper-madison: Yes, I have a few and given it sounds like both of us are struggling with a little ragweed this morning, mayor Adler, that's one of the questions I have, as we move into this, encouraging people to get flu shots and seasonal allergies are just so bad is there some sort of indication somewhere where what is allergies, what is the flu, what

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is covid? I mean, when I woke up and my anti-histamine hadn't kicked in, I know my eye is itching and scratchy throat I know what it is for me but me for example I didn't get seasonal allergies until I turned 40. I think some people still don't recognize the symptoms. I wonder if there is an opportunity to let people know what the differences are.

>> Or the, I don't know who is question is exactly but the question just occurred to me and watching the people around me struggle.

>> Jeff. And councilmember this is one of the challenges with covid-19 is the symptoms are vague. The symptoms include congestion. The symptoms include sore throat. The symptoms include nausea and diary are a I can't, diarrhea, .. If you have any of those things, you don't leave your house is the important thing to remember, and, you know, you can counsel with a doctor, your healthcare provider to make a

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determination if you need to be tested, you know. If you take your anti-histamine and it is behaving like allergies, you don't develop a fever in a day or so, it is probably not going to be covid, but I will tell you that interviewing many covid cases myself that a lot of the symptoms are very mild, particularly in younger people. So some thought it was a normal headache, normal allergies. I thought it was a sore throat and it wasn't. So regardless of the symptoms if you have symptoms, regardless of what you think it is, the most important thing to do is stay home and then counsel with your healthcare provider to see if you need to be tested.

>> Harper-madison: Thank you. I appreciate that. So I think mayor Adler touched on my questions around what we are doing to make those numbers in the latinx community drop but I think I will ask a

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few more questions about that off-line. The isofact number, I am curious about, are those rising or dropping? Rewe staying flat? Question quite catch that if you said that.

>> Yes. Those numbers are up and down and just kind of based upon -- because we are partnering with the universities, with that facility as well, it is a community asset and so those numbers are up and down.

>> Councilmember, I will just add that there is space, if folks want to isolate outside of their household, which is particularly important if they are in a multigenerational household or if they are living with someone who has significant risk factors, the best thing that individual can do is to go to the isolation facility. It is where people are fed, the

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there is wifi and cable. It is a comfortable place to protect your family from getting covid. I appreciate that expansion and I think it might actually be a great segue to my next question. We talked about masks for certain populations of people, but where I have been receiving some specific requests and making some observations are multifamily complexes, particularly those in -- restricted complexes. I haven't to date seen a system outside of the community sort of coming together to do drives and such. Is there any intent for us to do a more comprehensive effort around multifamily, especially the sort of, you know, the lower income, income restricted complexes to do ppe?

>> Specifically masks.

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>> I think what we may need to do is just follow up with you outside of this session to kind of determine exactly what your kind of thinking about and what you are hearing.

>> Okay.

>> Our staff have reached out to haca and had conversations with them and so you and can I maybe address it outside of this session.

>> That would be great. Thank you, director Hague.

>> Harper-madison: Education pods. I am hearing more and more about people doing the pods. I just have some questions. I heard, you know, public school, charters, private, and I didn't hear anything about pods, a and so if we have people that are putting 10 to 12 kids together, is there any -- I don't even know how we would go about tracking that so I am just curious about what that might look like and it is not a question I necessarily need an

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answer for today unless it is something you are already working on but it is just on my radar as a point of concern.

>> We are already addressing those pods. We have a couple of contacts that actually work for the city that are working in the community on that effort. Our staff have put together some guidance and issued that and we have also put it on to the website. And so that information typically also comes in through our education line, through our nurse line, so that is how it has been brought to our attention. So we are working with them as we find out they exist and we provide the technical assistance and the guidance to them.

>> Harper-madison: That's helpful. Thank you very much. And I think that the last question I have is, doctor, I thought you made reference to the second wave. I am curious about what that timeline looks like and then

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what should be -- what should people be doing right now while we are relatively flat before we get -- the appointments you missed because our numbers were high. What should people be doubling down on doing right now before we get to that second wave? Councilmember, I think it is critical for pokes to understand that we can avoid a second wave or it could look like really a wave that you wouldn't want to surf on, because it is about protection. It is about continuing those things, that masking, social distancing and personal hygiene in, and that self screening before people leave home. If we do that, we can push this off until we have a vaccine available. Right now it is important that folks take care of those things they have been delaying, the dental visits, the physical

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examinations, and importantly the vaccinations. It is really very important that folks get their flu shot this year and, you know, that is an epidemic we have a vaccine for right now that is very effective. And if we can eliminate that as a risk for this community it will certainly help us if we do see a substantial second wave in Austin. As I pointed out to the commissioners court last week, last year during the peak of flu season, we almost ran out of ICU beds. We can't tolerate the bad flu season this year. We really need people to be engaged in getting their flu shots, which are available from pharmacies and target and people's employers and of course their physician's office.

>> Harper-madison: So I appreciate that. So it sounds to me like what you are saying is, it is not

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inevitable, this second wave, but given the current trends if it were to happen when do you think that would be? Are we talking October? November? December? I mean, just having a general idea. Just given the current trends if we could project based on that. I do appreciate that you are saying it is not that it is inevitable but if there is something that people need to be preparing for I think more information is better than less.

>> Yes. Councilmember the answer is I don't know. The answer is.

>> Harper-madison:ly take that.

>> Generally when we look at second waves .. It is when people row tired of all of the protection and they say I am done with this. And then we realize why we are doing those protections because it hits hard. I think if we can avoid that then we can push off the Sam second wave indefinitely. The timeline is based on

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individuals in this community and, you know, when are we going to see increased risk for, you know, the burning of the masks? We are going to see it at Thanksgiving, we are going to see it at Christmas because people want to be .. More normal during those holidays. If we can resist that temptation then we can ride through the winter without a substantial second wave.

>> Harper-madison: Thank you for that. I heard a song the other day that said just because you are over it doesn't mean it is over. So I think -- and then the last thing I will say is just, the hospital stations by age group slide that you showed, would you mind showing that one more time, please?

>> I will ask av to pull that up up.

>> Which slide number is? It.

>> Harper-madison: It was the one that looked like a very

[9:54:35 AM]

creative small person drew it. This one.

>> I don't know about any other laymen but I find this tough to follow. I wonder if it could be more graph like? I just find this one tough to follow.

>> We will see if the team can work out a way to display it a bit differently. The challenges is we are tracking over a long period of time so it makes it more challenging. We couldn't chop off the more recent data to give you a smaller snapshot. But we will work with the team to see if we can display this better.

>> Harper-madison: I don't know about anybody else but my eyes go crazy on this slide. So it would be very helpful. And then very last one, there was this slide that was by zip code. I just missed the number that talked about 7723. If I could see that one more time and that was all I had.

[9:55:38 AM]

Thank you. That's it. Thank you very much. I appreciate you all.

>> Mayor, you are on mute, mayor.

>> Mayor Adler: Councilmember Ellis.

>> I appreciate that. Are there any opportunities to speed up the results of the testing? I didn't know if that was reliant on the process we are getting those results or a supply issue we might still be dealing with.

>> Typically, our return 24 to 36 hours is the typical turn around time. Because that is a pcr test and it is being sent to the lab so that is actually really good time. Now if you are using a different type of test which we are not, antigen tests then you can get those back in about 20 minutes.

>> Mayor Adler: Councilmember, the delays that director Hayden

[9:56:40 AM]

and I described are from outside labs, so what happens is, a clinician orders the test, and the clinician pay report the test results to us and the lab reports it to -- sometimes to us directly as well. What happened was a delay in the state reporting so data feed issues going into the state system which meant data delays coming back down to us. Again, I think, you know, with the state's upgrade in the system we should avoid significant future delays, but again I will point out that these data feeds, a lot of them are brand-new. They didn't exist before March of this year, so part of the challenge we have had is playing catch-up and, again, I think this goes to the underlying,

[9:57:41 AM]

underfunding federally a public health data infrastructure in order to prepare for events like this.

>> I can appreciate that that is high hurdle to be navigating as this has proceeded. When I see there is a rapid test available at say private pharmacy, is that information that is still being fed into your databases?

>> We received notification regarding the amendment general tests the rapid tests as well as the rapid pcr tests. Our team is working on displaying the probable cases which is what you get if you have a positive antigen test so we can display both, the confirmed cases and the probable cases.

>> Okay. That is helpful. And then are there any resources available for some of the quick read they werers? I know some people will try to do their own temperature checks at home in the morning to make

[9:58:41 AM]

sure they are responsible and I am not sure if the city had some available or a private partner for those who may not be able to access one.

>> I am not aware of resources we have. I know the they werers are channeling to get. I ordered some of the instant thermometer, the disposable ones back in February and so, I still have not received them. So that's an ongoing issue and I am not sure if director Hayden and I have any information regarding availability of those.

>> We have provided those to some of the childcare facilities. We provided those to some of the nonprofit partners that did not have access to those, but as Dr. Escott has stated, those are

[9:59:41 AM]

a little difficult and challenging to receive. But we have provided those on a smaller scale. It is not something that is widely distributed in our community.

>> Ellis: That's helpful. I wish there were more, we could have access more throughout the community but I understand that. That's all the questions I have. Thank you.

>> You're welcome.

>> Mayor Adler:.

>> Mayor, you are on mute again.

>> Mayor Adler: Thanks. Sorry. Any questions before we go to nursing homes? Councilmember tovo, then councilmember Casar and then councilmember alter. Alterat.

>> Tovo: Thank you very much and I will jump over for a little bit to the Austin Ed foundation event at 10:00 to welcome the new superintendent, so I will miss a little bit of this, so thanks for calling on me next. Dr. Escott I wanted to go back to the slides that you had about students. This is such a conversation in our community right now and so I appreciate your information that

[10:00:42 AM]

you provided but I want to make sure I understand it. I believe it is about slide 11. So as I understood your comments right now, the general summary you offered is that students who are testing positive appear to be primarily within extracurricular activities such as football and cheer leading and band and that there have not been cases .. Of student to teacher transmission. Was that the correct -- was that summary correct?

>> That is correct. In our last discussion with our epi team, they have not seen any transmission between students and teachers. And are you seeing any student to student transmission within school settings that have reopened for in person contact?

>> We have not yet seen at this student to student transmission within a classroom type of setting. We are seen student to student transmission in those extracurricular activities.

[10:01:42 AM]

And certainly in social settings outside of the school setting of students.

>> Tovo: Thank you. So on this slide, I understand the first couple of categories. The close contacts, you addressed this in your -- in the presentation but I missed, I didn't understand what it was. What is the student close contact in is that 37 people who were within close contact with positive students above or what are those last two categories. So those are students and staff who had closed contact with a

positive case. So these were people within six feet for more than 15 minutes, necessitating quarantine of those individuals.

>> I see. So those aren't covid positive, those are just individuals who are now isolating because they were within close contact with individuals who had -- okay.

>> Sure.

>> And they had contact with them in a school setting? Essentially?

[10:02:42 AM]

>> I will have to clarify with the team if these are only related to those school cases or if those include individuals who were isolated because of external close contact:thank you. And then I have a couple of quick questions about the slide that I think is slide 7, that councilmember harper-madison asked you about as well. So either I misheard or I think you may have reversed a couple and I want to make sure I am reading the graph correctly. The 10 through 19 here is actually the light gray; is that correct? So those numbers, it looks like, are dropping, but the goal 20 to 29 are actually increasing, as I read this graph.

>> Correct.

>> Okay. And of that 20 to 29 population

[10:03:43 AM]

of numbers that are increasing, do you have a sense of how much of that is -- are college students? Are individuals associated with some of the universities in our area?

>> I can certainly compare it to UT and some of the information out there about our other institutions of higher learning but just wondered if you have any kind of general comment about whether --

speaker: 20 to 29-year-olds are.

>> I don't have any further detail regarding that age group.

>> I can tell you, let's see, in the last week for the -- group, one individual age 11 to 13 was hospitalized, four individuals age 14 to 17 were hospitalized, and two, age 18 to 19 were

[10:04:44 AM]

hospital life .. Hospitalized, thank you very much for that information and the range of information, that you presented today.

>> Tovo: I know you had a conversation last night with the board of trustees, aid board of trustees and you may have touched on some of the key point you presented there but I just want to invite you to offer any information or findings or conversation that you think is relevant for us to know coming out of that presentation or that conversation that ensued with the aid leadership.

>> Certainly. The conversation I had with them is that I believe that given our positivity rate as well as the protective measures that have been put in place by aid and our other school districts that now is the time to open to that 25 percent level. I think our community as a whole has been more protective than

[10:05:46 AM]

others around the state of Texas. I think that is particularly true for our school reopening process. You know, we have demonstrated that opening at 25 percent allowing teachers and students to adopt and adapt to the new guidelines, procedures within the schools, that allows valuable time to learn how that works, to modify if necessary in those first couple of weeks and to make changes before they bring in additional students. You know, ultimately, it depends on people being engaged and doing that self screening before they leave the house every day, engaged in wearing the masks, engaged in the social distancing, and the hand hygiene. So we really have multiple layers of protection that are built in to keep schools safe and I think the school districts that have opened so far have

[10:06:46 AM]

been doing a good job of that and I expect that aid will as well. Now this does not mean we are not going see cases. We will. Our goal is to avoid substantial outbreaks, sustained outbreaks within schools. We will see small clusters come but if we are successful at identifying those close contacts and quarantining them appropriately, then we can avoid those sustained outbreaks. And again I applaud aid as well as the other superintendents who we have been meeting weekly with for month now, months now to develop this plan, refine the plan and to implement strategies to mitigate the spread in schools.

>> Tovo: Thank you very much. Thank you for that and certainly reassuring to know that the board is working closely with

[10:07:46 AM]

the schools, especially as they begin to reopen. So thanks. You know, I just want to make one comment about the flu shots. I appreciate really the efforts that you and our public health department generally

have made over the last weeks about encouraging those to go get their flu shots. I know in our household, why are we going to get flu shots when we are not leaving the house all that much right now? And not going to school and we talked about, you know, how this is really the time to do it. No family, even if they are in the fortunate position to be able to work from home and attend school from home right now, -- so thanks very much for continuing to get that message across. We have less social interaction and it is now the time is the time to get the flu shot.

[10:08:47 AM]

>> Mayor Adler: Thank you, councilmember tovo. Dr. Escott, I recall the flu shot is being recommended for anyone over six months of age; is that right?

>> That is correct, mayor.

>> Mayor Adler: Even some of the youngest among us. A great bonding activity.

>> That's right.

>> Mayor Adler: To go get flu shots. Councilmember Casar. .

>> Casar:. Thanks. So I really appreciate the high risk worker memo and strategy kicking off. Director Hayden do you know when that all goes active?

>> It should be active now.

>> Casar: Great.

>> I will double-check with staff but it should be active now.

>> Casar: Great.

>> We wanted to make sure that we had the call center component and the outreach component with those two vendors, because it

[10:09:49 AM]

has really helped us really focus on those almost four areas of providing that direct assistance and financial assistance.

>> Casar: That is really important. We keep hearing from folks that have had covid and that are really struggling so this is really helpful. Dr. Escott, on the hospitalizations by race and ethnicity, it seems like the most disproportionate impact, while there is a really disproportionate impact in the rat 10 community the most disproportionate impacts seems to be in our African-American community but posada 50 rates but in just having it is the Latino community, what should we take away given those two facts?

>> Councilmember, I think that take sea that we have got to address the underlying health

[10:10:49 AM]

conditions in our communities of color. We have got to address access to care. We have got to address the social determinates of health which we know underlie all of these things, not just for covid-19 but for flu, cardiovascular disease and diabetes and obesity. We have got to stop ignoring these things a in our community and, you know, I think that we have got a lot of work to do over the next decade to create more equality in terms of these social determinants of health. If this is a measure of how we are as a country, how we are doing as a country, we are failing.

>> Casar: I agree with that 100 percent, and that is the key take away. One last question, though, is, we are seeing higher positivity in the Latino community but then higher hospitalizations in Latino community but even higher

[10:11:49 AM]

and higher than that in the African-American community. But we don't know exactly why that might be. It might be because Latinos skew younger or might be for a variety of things we don't understand but just in the end we have high disprorgs facility in both groups .. And is that, if I was asked that question is that the accurate thing to say or is there something better, a better explanation?

>> No. That is correct. That is the accurate thing to say. We are looking at those factors in a bit more detail to see if we can sort out a pattern. The challenge is that, you know, we have got to wait until we have more that points to make any scientific determinations about things like -- based on ethnicity and risk of death based on ethnicity, because, you know, we generally need large

[10:12:49 AM]

numbers to prove anything scientifically. So we are collecting that data. We are sharing it with researchers that we are partnering with and hopefully we will have a better answer in the coming months.

>> Casar: I have one last question which is, I really appreciate you all putting together this map that shows the amount of tests and the positivity rate in these different zip codes as an update so I think that is really helpful. My quick scan of it seems to show we are doing a lot of testing, especially in the places that need it the most but I didn't go and check every single zip code on the map. Are there any lessons learned or anything that is standing out to us based on that, on that map, the new data you all have put up?

>> Is there anything we see there that makes us say, hey, we need to do more of this?

>> I think we -- I think we may want to -- we have provided nonnursing home cluster reports

[10:13:50 AM]

and there may be some additional surveillance that we may need to do and do some more targeted testing and active surveillance, add some surveillance to it. We are having those conversations now about what that would look like based upon that report. But the strike teams we have established, they are covering the areas where we are seeing more positive cases, the most populations.

>> Thank you. >>

>> Mayor Adler: Councilmember alter.

>> Alter: Good morning, I wanted to first of all thanks my colleagues for asking some really good questions. You covered a lot of my questions. I did want to ask Dr. Escott if you could clarify the access on slide six and seven that says

[10:14:50 AM]

percentage. Are these graphs, like the percentage of the cases by ethnicity or -- because it is not the percentage -- I mean, because the number of cases is going down so taking this as a percentage it still tells us something, but I believe we are making more progress than this chart suggests, slide 6 so I want to make sure I am getting a percentage on that and on 7 as well.

>> Yes, councilmember, it is the number of individuals hospitalized with msa for that week. To in is really identified to see how we are doing in terms of disease impact on races and est miss advertise. In our community so this is the way we have chosen to display

[10:15:52 AM]

it. We will certainly look at other options. I agree with what you said. Our total hospitalizations are going down, our admissions are going down, so you are looking at that smaller numbers of individuals, represented by this graph.

>> I think it would be really helpful to have some sort of comparative chart that has the numbers charted by race. Over time, because I think this is masking some of the progress and while we still clearly have to target resources to certain populations given, you know, everything that my colleagues have

already said and the positivity rates and the disparate, I do think there is more progress than these charts allow us to see, and similarly, in slide 7, if the case numbers are going down, for the

[10:16:52 AM]

layperson since the percentages are capped at 100 there are only so much movement that can happen, and so I just think it would be helpful to maybe have that elsewhere. I just want to focus on that one. I know we have positivity. Da dash.

>> So I just want to ask a lot of my, they asked a lot of my questions. So since at least my appearance is that -- what portion, you know,.

>> And schools.

>> As I am aware ISD has been the extracurricular activities:that are there, 0 so to say we haven't had spread in the schools, it doesn't mean

[10:17:55 AM]

a whole, it doesn't mean a whole lot to me. So, but I don't understand the magnitude of the other schools and their opening and their experiences. And what percentage they are open, just because I don't have that information. Can you give us a fuller picture.

>> Sure, councilmember. So every other school district outside of aid, to my knowledge, open to 25 percent the day after labor day, and are now at 50 percent, so the numbers I shared are with generally speaking hearing records reports from our superintendents, the percentage of students requesting to be in person ranges between 40 percent in about 55 percent.

[10:18:58 AM]

Families don't want them to do in person classes and I think that contributes to the, you know, the success of mitigating the risk:I think it would be much more challenging for us to mitigate the risk if they were 75 percent or 100 percent of students in the classrooms. So I think that is helping to protect those other school districts at this stage.

>> Thank you. That's really helpful. And then my last question I think is for Dr. Hayden. You spoke about that isofacts and the isofacts having space. Can you tell us about the protective modules. T protective lodges are telltively relatively full. >>

>> With the folks that are there. So our plan is, you know, with

[10:20:03 AM]

those facilities being as full as they are, and the goal of needing to move the individuals out by the end of the year. And so, you know, we are working very closely with our emergency shelter folks that each have plans in place in order to, you know, not have too many pokes there as well. But relatively those protective lodges are full.

>> Thank you.

>> Mayor Adler: Anything else before we go to the next report. Let's do that. Director Hayden.

>> Thank you. Mayor and council, on may 7th, you passed a resolution directing the city manager to collaborate with the design

[10:21:05 AM]

institute for health, Dale medical school to analyze, evaluate and identify approaches for system improvements to protect the residents and reduce the risk of spread of covid-19 in nursing homes, assisted living centers and other long-term care facilities. We have had the design institute to come forward and do a presentation. They are back to provide the second phase of their work. We sent a letter and full report to mayor and council, thank you to Kay for ensuring that you have the longer report, and so we have, our staff from Dale medical school, Mr. Stacy Chang is going to do a presentation.

[10:22:05 AM]

>> Stacy, at this time. Thank you.

>> Thank you, thank you director Hayden, I appreciate it. And thank you to the mayor and council again for having me here to present. And a special note to Austin public health in particular, you all have continued to be very actively engaged partner in this effort and for that we are very, very grateful. So if you go to the next slide, as a refresher, I will ask av to move to the next slide, thank you. As a refresher, as Dr. Hayden mentioned this study was commissioned by council resolution by councilmember kitchen earlier this summer and recognized the covid-19 pandemic will be an enduring risk for long-term care facilities even when the threat to the general population may fade. The goal of the study then is to identify broader scale system issues that are, our current pandemic response hasn't had time or capacity to consider and to develop responses to protect the residents and staff from the pandemic and similar crises in

[10:23:05 AM]

the future. Next slide, please.

>> The phase 2 objective and we are back in front of you in midsummer, for the report on slide one. I shared the insight from the first phase. I am here to share the outcomes from the additional research we did, research since then. .. And also more importantly the strategic opportunities that have emerged. These opportunities represent the possibility to make real and substantial change to reduce the risk and burden of this pandemic on those in long-term care and we will spend some substantial amount of this budget sharing those. Presentation sharing those. Next slide, please. As -- as director Hayden noted, the full report is in the hands of the mayor and council. I think it is also available for public download as well. I only have enough time this morning to share an executive summary of the work today. There is a tremendous amount of

[10:24:08 AM]

initial insight perspective and commentary compiled in the full report and encourage you to read it if you are interested in additional detail. Also save some time at the end of this presentation to entertain any questions or commentary you might have. Next slide, please. In the overarching private timeline we are here at the conclusion of phase 2, which represents the end of the research efforts in this project. In phase 3 and later we will take what we have learned, and begin having immediate solutions it is next phase is on design and development of the solutions in collaboration with the stakeholders and domain experts with whom we have already been working. That almost will be followed by development of prototypes. The goal is to see these solutions into implementation along with recommendations before the -- the funding from the city was allocated, this is just the first two phases of the work, which includes now, but local philanthropy has come in to support the remainder of the work which we are also very grateful. The funding from the foundation

[10:25:08 AM]

in combination with the city support represents I think something we are proud to be at the center of. We have been asked to return to city council to report back on the subsequent phases of work and I look forward to keeping you apprised of our progress as we move forward. Next slide, please.

>> As before, we are working with a pretty broad coalition of stakeholders represented in part by the steering committee on this project but the many facilities and operators we have met in this project the. Next slide, please. By way of overview, this is the comprehensive summary of the facilities we have visited during our research. We expended our research effort in phase 2 to include assisted living and

independent living facilities as well as Texas state veterans home and mortgage foundation which serves individuals with developmental disabilities and also expanded the geographic coverage of our investigation, you will note that in spite of no shortage of effort we weren't able to visit

[10:26:09 AM]

any facilities east of I-35. Participation from facilities was strictly voluntary and every facility we contacted we contacted every one of them, on the eastside declined for various reasons. It is important to note that only about ten percent of all the facilities are located east of I-35 which made it harder to find one that would participate and potential inequities in access to these kind of facilities which I will touch on later which Dr. Escott touched on as well. Next slide, please. When I presented in July, I shared a pretty amount of context in the nursing home industry to show we are starting from -- this contains a refresher for your reference. If we go to the next slide. For phase 2, just to ensure we don't get lost in the terminology, I do want to provide a few clarifying

[10:27:10 AM]

definitions. Assisted living facilities serve individuals who need assistance with activities of daily living and also minor medical care. Residents there generally aren't able to live on their own but they don't require the 24-hour skilled nursing care that is necessary for full time medical care that you have seen in a nursing home. Independent living facilities do not provide medical care. And residents generally choose to live in these facilities for the social connection and activities and also for the lowered burden of having to maintain their own home. Most assisted living and independent living facilities are private pay, with some exceptions where insurance and other benefits can be applied. Assisted living facilities because they provide medical care are regulated by federal and state health and human service agencies, independent living facilities are not regulated by HHS and we will come back to that because there are some salient relevant points that. Next slide, please. Just as a reminder they are is how long care term facilities are

[10:28:11 AM]

distributed regionally. Again only about ten percent of the facilities are east of I-35. This list here doesn't -- since they are not regulated by Texas health & human services commission. Next slide, please. In phase one, when we showed back in July we highlighted for initial insights and just very briefly in summary, insight one was about the gap between the theory of how infection control protocols should work and how in many ways they are fundamentally misaligned with what is inside the facility. The second was about the unending stream of involving guidance and recommendations that the facilities receive and the strain it puts on those facilities to interpret and operation rise that guidance. .. Insight 3

detailed the significant sack fits and risks that staff endure and the kind of pressure covid is putting on that staff's daily lives outside of work. And then the fourth insight

[10:29:13 AM]

really focused on the emotional and mental burdens residents are enduring, mostly as a function of isolation, that then exacerbates the burden on the staff that served them. Next slide, please.

>> There are a few more to share from the second phase of research and I will delve into these in a little more detail. This pertains to what we call aging in place versus resident safety. That is senior safety, independent living, assisted living and skilled nurses facilities on one campus. The promise in those communities is that as a resident needs more medical assistance over time or support for activities of their daily life they can age in the same place where they have developed relationships and a social network. In a covid context, there is one very significant consequence to that arrangement, however. Facilities tend to adopt the strictest guidance across their campus to protect the most absolutely initial residents and so if they have a skilled

[10:30:16 AM]

nursing pat on campus, they will put some very significant restrictions appropriately in place. Which then restricts freedom of those in assisted living, independent living scenarios. In this case the very benefit that residents came for which is the continuity in their care experience over time actually then becomes a restriction on the quality of that lived experience which is in this moment still an unresolved tension. Insight number six which we are calling the price of well seasons directly associated with the source of revenue for different kinds of facilities. So assisted living and independent living facilities are primarily private pay which means they generally have more revenue and more freedom in how they utilize that revenue. Which translates really frankly to a higher quality of experience for both residents and staff. By contrast most nursing facilities serve poor patient whose depend on medicaid for funding. That reimbursement provides much less than private pay, meaning that these facilities have less to work with than what is to offer. This discrepancy is an inequity

[10:31:20 AM]

directly tied to wealth and it means not everyone has equal access to quality care. This may be somewhat obvious but

-- next slide, please. The last insight is around the impact of trust and really culture and leadership. It really can't be underestimated how much leadership and then the agricultural that flows from that leadership affects the experience of working and living in these facilities. The quality of communication,

the transparency with which leadership acts, and then the results trust are all quite critical factors when it comes to retaining staff, ensuring they are productive. While building a positive culture is essentially free, it is not without work, but it is essentially free. Not every facility understands or doesn't have the necessary elements and we saw quite a variation and distinctions between facilities on that. Next slide, please.

[10:32:20 AM]

In addition to the facility visits we also deployed a survey for family and caregivers of residents. We -- the five facilities that took part in the survey we got 85 responses in total. And the survey we asked families about how residents came to live in these facilities and about their experience during the covid lockdown. Next slide please. There were two key, primary take-aways, the first of which should be familiar. The first one, family members reflected their concern about their loved ones and their potential decline due to the isolation. And the second take away revealed that the quality of visitation experiences during this lockdown really depended heavily on individual circumstances. There was no one universally perfect approach to visitation, even in places where facilities have figured out some version of an in person visit, either through a window or outdoors. This is something that I think we will want to keep in mind as we move toward solutions

[10:33:21 AM]

particularly regarding to governor Abbott's order to reopen visitation in nursing homes, there will not likely be a one size fits all solution and we will have to be creative and conscientious about what we deploy. So move to the next slide. So I want to spend the remainder of this presentation talking about what we call strategic opportunities. I want to frame this for a second first. The bulk of this effort in this phase was really to make sense of all we learned and begin to describe not just what was broken but what we can actually do to figure it. I want to make the point that strategic opportunities, the ones I am about to share are an expression of what is possible but definitely not a prescription of what should be done. These are starting points for new solutions and they will be evaluated and developed with experts that we have already engaged with in the upcoming phases to determine whether they are feasible, viable or even if

[10:34:22 AM]

they are desirable for the end users. Some of them are straightforward to implement, changes to communication, protocols, minor changes in space, some are much more complex to implement, change policy and system dynamics, the. Importantly none of them come for free. They require time to plan and budget to realize and for facilities and operators and even public health departments

additional resources are going to be necessary to see them come to fruition. So with that, grounding if you go to the next slide, we have categorized the strategic opportunity into five categories. One, the first is infection control by far the largest both are covid-19 and what may come next. Second category is staff well-being followed by expansion, evolution of staff rules and responsibilities, roles and responsibility, the fourth, focuses on staff retention and the incentives to help make that happen and the fifth focuses on resident well-being. Next slide, please.

[10:35:24 AM]

We have actually identified 35 distinct areas of opportunity and we further have clarified them by what we see on the left side of this chart which is what we call now, near and far. Those represent the potential time, effort and general resources necessary to realize them. By way of illustration I am only going to highlight a subset in this presentation. There is no chance I could get through 35, all, and give all of them justice but I have chosen a subset to highlight what can happen at the facility level, some that might require coordination at a regional level and others that need to consider policy shift at the state and federal level. I do encourage you to read through the report to get a sense of the full a set. They are a rich set of opportunities none of which I think should be ignored. Next slide please. The first one I am going to share is infection control. We call it building depth in knowledge. We found that many staff saw the new procedures for infection control merely as a set of rules

[10:36:25 AM]

that they had to abide by and when rules feel arbitrary it is hard to adhere to them. We are asking how might we foster deeper understanding of the why behind infection control protocols so that staff are empowered to take action through better understanding and knowledge. We saw significant variation in the way different facilities approach education around infection control. Those that took a more participatory and staff ownership model saw much greater compliance and we think there is an opportunity to develop approaches that all facility accounts adopt in this area. Next slide, please. There is no single source of truth for infection control guidance right now. For facilities and operators it is hard to know what guidance is most important or most impactful or first to deploy. It is hard to identify who has the authority to answer specific questions when they arise. And it is mostly a one-way street. The facilities are recipient of

[10:37:28 AM]

information. It is hard for them to capture or sponsor data that helps the health authorities to find their approach so we are asking how might we alleviate the facility's burden to interpret this so they can focus their energy in a more beneficial way . This is 0 called more equitable access to resources: this is

not a new topic. Large resources when covid hit could muster the operational ability to get supplies, heroic stories about individuals in facilities essentially finding ppe for their staff. You know,

[10:38:28 AM]

the individual operators, the ones that own and operate just a single facility were left to their own devices and really did struggle for a period of time and the struggle is not over. In many cases the right amount of ppe is not always present. So we are asking how might we ensure timely adequate access to resources critical for infection control, especially ppe during a time of crisis. The topic of a regional stockpile of Ben is not 0 a new one but important for us to consider. Next slide, please. I want to share one carpet from

-- we learned many staff feel like they are on their own. Certainly when they are in the workplace they get support from their employers and fellow staff but once they are on the outside they are very much fendng for themselves so things like personal family needs, mental health needs, you know, forms for collaboration and especially if those staff get sick they need assistance for what can be a pretty shall not burden on their finances if they need to

[10:39:29 AM]

quarantine away from family so we have asked how might we address that burnout by implements support subpoenas throughout the field to prioritize staff well-being because keeping them well is a key to keeping the residents in the nursing homes well as well. In a moment, when a lot of these facilities are understaffed, and there is an untapped pool of resources we call volunteers who want to help. They are essentially a free resource, but in this moment, there is no way to take advantage of them or to quickly on board them, if they were even allowed in facilities. So we have asked how might we redefine the definition of nonessential staff as a essential staff to help them support the facilities. There is a real opportunity and real need for that and potentially something to explore going forward. Next slide, please.

[10:40:29 AM]

With the we know the pandemic put a strain on staffing, anything from frontline workers, limiting them there being on multiple sites and demand on their work, more demands on their, to create gaps from other staff that might be infected and quarantined. Often public health has deployed responses to this so it is a great foundation but we are asking if there are additional ways that include other health precious, such as government workforces, like ems or search and rescue or even firefighters or even health students. There are potentially creative ways for us to back up the demand on the overburdened

and over worked staff that are currently in nursing homes. Next slide, please. It is interesting, I noticed this before, there actually isn't a great depth of knowledge in management science in long-term care. Whether in crisis or not. We have seen evidence of better practices in certain facilities

[10:41:29 AM]

and we are asking here if there is a way for us to codify those practices to share across the system to ensure the same level sort of competency from a cultural standpoint within facilities. And then I will share three last ones from the resident well-being, the next slide, please.

>> We have seen significant variation in facilities and how they allow residents to interact with each other and if you recall for a moment one of the value propositions of facilities like this is the chance to socialize with others. The facilities that have figured it out a way to maintain some of those social connections between residents are seeing a much better response in the emotional and mental health of their residents so we are asking how might we balance engagement between residents with, and incorporate infection control in order to ensure that the quality of life and socialization in these facilities. Next slide, please. With governor Abbott's, Abbott's order to open up facilities to

[10:42:30 AM]

family and friends there is a flurry of work to accommodate the rules but in the midst of this work we are asking if there are ways to develop more permanent solutions that are sustainable that allow human touch in a safe way while respecting the privacy of residents and families. We have a chance here to develop things that are endearingly valuable. The last slide I share with you really anchors around leveraging community assistance. Many of these facilities are quite constrained in both resources and available physical space. We are asking if communities can develop responses that utilize nearby outdoor spaces or programming to assist -- so assist nursing homes easing some of the challenge with the lockdown, including ideas like using local parks and blocking out specific use by nursing homes like you see local grocery stores preserving certain hours for seniors. So that is a quick tour through a sample of the strategic

[10:43:30 AM]

opportunities. Next slide, please. I want to close with a bit of a reflection. And, you know, when we started this work it was to contribute to the goal of reducing illness and death in the long-term care facilities and to look for strategies and approaches. And a few things have arisen. Next slide, please. We essentially did the unthinkable, we stopped the U.S. Economy and it really forced us in many ways to, at a societal and personal level to reflect and as we approach the start of the next legislature there is a

chance for us to press some big ideas into motion. Next slide, please. And I will just highlight them here for you to ponder and maybe to mull over but a few thoughts here. One is, when I have ever we should prioritize a person's quality of life over infection control, it is a tension we feel and are trying to manage in this moment but it is a broader question I they we should

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consider. At a societal level people are growing ill, and enduring with those illnesses for a longer period of time. It is really a question of whether or not we are providing appropriate practical and affordable long-term care options for a lot of that aging population. A third thought here is about whether or not the behaviors and practices were actually incentivizing in the long-term care system matched with the realities of the facilities themselves and whether we are being thoughtful of what the facilities are capable or signed to do. This third thought is how we communicate with each other within the system. We are seeing a number of breakdowns. Is there a way for us to really augment coordination and collaboration in a moment of stress, but even when the pandemic passes. And then finally how we, essentially as a society rethink our aging

[10:45:35 AM]

population and how we take a more community approach around these kind of fats we have in place. So I will end with the next slide which is just a note of gratitude, really to the city's chip to this cross functional collaboration. The collegiality of everyone we have worked with in the city, the stakeholders have really made this study better and we are thankful. We want to thank the partners, the commit at the members who serve selflessly and who have contributed substantial funding to see this continue. I will close there, and be happy to entertain questions and discussion.

>> Thank you. Councilmember kitchen.

>> Kitchen:.

>> Thank you. I think this is -- this is a very impressed with the work that is done here.

[10:46:37 AM]

And impressed with the practical approach you are taking to point out what can be done and the emphasis on action, and so I appreciate that and I appreciate that you are putting this in the for pat in a way that we can consider our roles as a city. And our role in partnering with the state, for example, and with the county. And appreciate that. And there were, you know, two things that you pointed out that strike me as something that is important for us to think about and they are not unlike what has

happened or that we have learned from other aspects of covid. And that is the inequitable impact on our society. We have just seen we have seen countless examples of inequity that we know exists but the covid, impact of covid is just

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highlighted those for us. We are a population that is getting older and a while back we began to talk about the silver tsunami the Austin and one of the two things that struck me about what you said is the inequity and access, in access to options for aging the fact we don't have affordable places for people to age we don't have affordable places geographically, we don't have them affordable in terms of what people can pay for. And so what you see is the lower income pokes end up in nursing homes, which offer the lowest level of pay for staff and also the lowest levels of amenities. And aren't available as much and so the other options for aging that, you know, may be

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available, those are higher costs. And there is inequity there. So I appreciate you bringing that up.

-- It also impacts our staff throughout the city and there is a large workforce who work with older folks in different settings, and they are lower pay across the board, and they are minorities across the board, a lot of times they are immigrant families. And so this whole system is just a microcosm or -- for the inequities in our city. So I appreciate the practical things that you are bringing forward here. As you continue to work you present to our commission on seniors, our commission on seniors can help think through, will want to spend some time with you to help think through the recommendations that you are

[10:49:41 AM]

making, and they have -- and help us think through as a council what action it is city can take. We are already moving forward with some of the acts related to staffing in the recommendations that we included in our agenda, our legislative agenda. That relate to level of pay and other things. So that's a long way of saying I really, really appreciate what you have brought up and I look forward to working with you. I don't know if you want to make any comments about the inequities that you saw, but if you do. Any further comments you might want to make?

>> Thank you, councilmember kitchen. I will make 02 comments. One the inequity is clear both from a data standpoint you can look at maps and see where the gaps are but I think they are more clearly felt when you are actually in the facilities. It is actually quite clear, you know, it doesn't take a rocket scientist to see the disparities in the quality of the care and the quality of the experience

[10:50:42 AM]

and really the difference between essentially the haves and have notes so it is quite stark when we visited those facilities. The other comment I will make is, I really welcome the opportunity to gain the perspective of the seen wrote commission and I think in addition to gaining perspective they might actually be a partner in acting on some of these solutions. So I appreciate that, and look forward to that.

>> Thank you.

>> Thank you.

>> Mayor Adler: I want to thank the Dow foundation for picking this up, it is one of the most exciting things about this is that the city put in the additional body. Councilmember kitchen, thank you for your leadership in pushing this forward. But having now done this work, it is great to see that it is being picked up by the nonprofit world, the foundations to drive this. And I think is one of those examples of how we, get 0 out

[10:51:43 AM]

this covid as better physician community that we went into it and actually realize the work and the suggestions that have been made, especially with respect to justice and equity in our city. Colleagues anymore comments on this before we get to the -- briefing. Councilmember harper-madison.

>> Harper-madison: I want to add to the comment about councilmember kitchen's leadership here. She has been a tireless advocate and it is so important. We had a conversation recently about complex for our seniors and that dope affordability, and I just keep -- the comment that somebody made just keeps resuming in my mind about affordability like this deep, deep affordability, but we also, I like very much to not miss the opportunity here to bring this before the health and Hewlett Packard services committee.

[10:52:43 AM]

I think this is -- that is another committee that we would have a good opportunity. I think maybe the conversation with the commission could inspire the presentation for the committee so I would like very much to see that happen. And then as a final measure, as we are talking about these sort of sanctioned facilities we have some complexes porcine yours across this city that are in deplorable conditions. I mean, it is bad. And so my hope is that we can extend the conversation to those complexes as well, that we don't

-- advocate for our elders. So Stacy, maybe you and can I connect off-line. I am not sure exactly how to really relay what is going on with some of these other complexes. It is a very important introduction to the conversation in my opinion.

[10:53:45 AM]

>> Thank you. I look forward to that.

>> Harper-madison: Thank you.

>> Mayor Adler: Anything else before we go on to -- all right, thank you very much for the presentation. And for being with us.

>> My pleasure.

>> Mayor Adler: Let's now go to the staff briefing on saves, it is about 10 till 11:00, let's see if we can get this done before noon. And we will break for lunch.

>> Thank you, mayor and council. This part of the work session will be an update from the staff response to the resolution passed on September 17th and we will be moving over our three presenters, our chief financial officer, oaks, chief, chief economic recovery officer who will cover this and many other staff available for questions as well.

>> With that I will turn it over

[10:54:45 AM]

to our deputy chief financial officer to get this presentation started.

>> Good morning, mayor and councilmembers. I think everybody has been moved over now. The cfo for the city, I am joined by Veronica Briseno and Brian oaks as well and we will walk you through a short presentation we put together to speak to actions that have taken place in response to the safe resolution passed by council at your last council meeting, and just to start off I also want to thank quite literally the dozens of staff throughout the city that have worked tirelessly to provide a response to your

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resolution in the very short amount of time that we had. Let's go ahead and move on to the next slide. So I will begin the presentation talking about some of the funding options you have seen that are on the agenda for this Thursday. I will also speak to some of the other funding options that staff considered and

looked into pursuant to your resolution and even things that weren't necessarily called out in your resolution. We will then turn it over to Brian oak oaks to speak to the equity component of the save resolution and Veronica will talk to some of the programming recommendations that staff has as well as the -- development corporation.

>> These are items that we have on the agenda for your consideration. This Thursday. Economic development corporation. In total, \$15 million of funding options that staff has been able

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to identify and vet with legal for their appropriateness to application to to the saves resolution and again these items are on the resolution for your consideration this Thursday. The first item would be \$6 million associated with our capital management system. That remains a very high priority system for the city to upgrade and replace but we don't need to prepunned the general fund obligation to it which is something we had done. It is our proposal here would be to move from a prefunding model to a phased model. We estimate the general funds share of that system when it is fully implemented will be \$6 million. Last year as part of our strategy for positioning the budget, for three and a half percent revenue cap, as you recall, we went to an eight percent tax increase and allocate add lot of those funds to one time initiatives, one of those initiatives was to fully fund the estimated general fund

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contribution to the capital management system. So these dollars can be reallocated without 38 the implementation of that project but just know that in future budgets we will have to kind of go to a pay as you go model which is the same approach we are tabling with our enterprise at the present times. Similar to that is the pay for success fund, which currently has \$6 million in it, the concept there was that the city council had committed to a total of \$6 million, \$1.2 million Perrier over a span of five years to pay for success and fy-18 you approved \$1.2 million, then in the fy-20 budget we properred more money, similar to that human capital management system, prefunding the general funds commitment to that program. And similar to the human capital management system, we can reallocate those dollars today but looking ahead to fiscal year 22, 23, 24 we would have to restore that funding in order to

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fully fund that initiative. The next one that we looked into were the temporary use right-of-way feeds. These fee revenues are general revenue sources that can be used for any lawful municipal purpose. In tote, those funds fees are \$6.6 million and this proposal would transfer 3.7 million of those funds from the transportation department to the general punned and the remaining 2.9 million would stay Austin

transportation which is the estimated cost, roughly the cost of actually administering the right-of-way program. But the additional revenues we would get through leasing through these spaces can be included in the general fund. The increase in the transportation user fee to keep this budget whole and offset that transfer of revenues and that is also that perspective of

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the increase is on your agenda for this Thursday. And then finally question is our building service department to carefully look through its capital replenishment program and plan for fiscal year '21, in total we had \$3.3 million allocated to them they believe they can lower that amount by \$500,000 and address serious needs in fiscal year '21 but some of the lower priority projects would be pushed into fiscal year '22. So again those items are on for this Thursday, consideration, total, \$15 million. A variety of other areas we looked into, included sales taxes and general fund reserves but we really looked at those collectively, I mean our general fund reserves are curl at 12 percent in the fy '21 budget 12 percent of general funds requirements that is about 132,

[11:00:52 AM]

\$133 million. Our reserves, and this ten sales taxes that have been coming the better than what we had projected about \$11.8 million better, so far would add to that reserves. Some of the reasons we are cautioning getting into the reserves and looking to the sales tax revenue, one is that as part of this budget council endorsed increasing our reserve policy from 12 percent to 14 percent, staff beliefs that

-- I am sorry, I am on the next slide for the tech folks, slide 4. Trying to get our reserves up to 12 percent to 14 percent is an important messaging point for the rating agencies as you are aware we were recently downgraded largely as a result of growing pension obligations and we believe increasing reserves is part of the meaning that is going to need to happen in order to get our rating back

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to that triple a level. Also there is a lot of Mick uncertainty. While it is certainly true sales taxes have been conning in higher than projected, it is also true that they are down significantly from where they had been the last year and also we are -- we have been projecting that the economic recovery would be occurring faster than it is. We had anticipated in our projections we would be back to full operation by this point in time, and that is clearly still not the case, so we do recommend caution in regards to getting those sales tax dollars when there is a lot of economic uncertnty. As you heard during this briefing today there is uncertainty around the virus and we asked our public health department to look into what their

funding needs would be to continue the city's covid-19 public health response after the virus fully funds virus relief

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funds expire, during the fiscal

-- they are estimating 60 millions for needed to continue covid public health response for he everything that is going on to stop the spread of the virus or slow the spread of the virus, they are estimate is \$60 million for that nine month period and again that is what we would need if we don't receive any additional funding from the federal government after the coronavirus fund expire at the end of this calendar year:moving on to the next item, bonds, we did look at a variety of bond instruments, certificates of obligation and contractual obligations. And one thing to consider is we have already taken action to shift a lot of our vehicle purchases, really most of our vehicle purchases and -- purchases away from the operating bum and into debt instruments either Kos as part

[11:03:53 AM]

of our annual debt sales. That was in response 0 just, you know, funding needs and the three and a half percent revenue has largely taken action to that. The concepts it is not a lot of additional flexibility there. Certificates of obligation were addressed in a legal memorandum you received over the weekend and in general they are to the allowable for economic development purposes so there are constraints 0 on the certificates. We did look into voter approved bond dollars, including the 20180 bond proposition B for creative spaces which was \$12 million. Those funds are currently in the process of being reviewed for programming to provide support to the creative sector, part of what we are trying to look at in our recommendation is we are finding additional resources that could be brought to bear for the industries identified in the saves resolution as opposed to just tapping into funding like this that already has been

[11:04:53 AM]

set aside in the budget or through bond programs to help the creative industries. We did explore alley and street vacation sales,.

>> Mayor Adler: We have lost you for a second.

>> Oh, no. That's a cliffhanger.

>> I am very eager to know the result of the alley and street vacation -- >> >>

>> Let's give Ed just a second to come back in

[11:06:15 AM]

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>> Mayor.

>> Mayor Adler: Yes, while waiting for towed come back I wanted to review a couple of scheduling things. I know you went over this at the beginning of the day but I just wanted to take stock of where we are.

>> Okay. So it is 11:06 we are going to talk about this, and then what are the other things we are trying to accomplish before our 12:00 o'clock lunch break?

>> Mayor Adler: We have this, you pulled this item up so I was going to hope we could have a conversation on the start of that conversation. Ed, welcome back. Hang on one second. , Kathie given where we are -- so we are going to stay on this conversation, both your pulled item and this briefing. When we get close to noon, the goal is to take lunch. Let's see where we are in that conversation. After lunch, coming back, giving staff the opportunity then to address the business bureau issue, item number 12, and then go into executive session.

[11:07:16 AM]

>> Great. I have a couple of quick questions, comments. On items I didn't pull but I will just mention for the sake of our council discussion before we break for executive session.

>> Mayor Adler: Okay. Do you want to identify those numbers if you have them right now?

>> Well, I will need to get back to you, but at least one of them is item 57 regarding caregiver meals and I think there is one other.

>> Mayor Adler: Okay.

>> But, you know, again I didn't pull them in time so it is just kind of --

>> Mayor Adler: I understand. Ed,.

>> --

>> Mayor Adler: Okay. Ed we lost you just as you were getting I think to the alley and street vacation sales.

>> Great. I will pick up there. Thank you, mayor. So alley and street vacations, those revenues are already posted as general fund sources of revenues, so they are already part of the budget that council adopted and part of how we balanced the fiscal year '21 budget. That's the issue with alley and

[11:08:17 AM]

street vacations. For fee waivers we did look at fee waivers, the council typically approves for special events as well as development permitting fee waivers. Those are at this counsel's discretion, to no longer waive those fees but there is a lot of uncertainty in regards to whether special events will be occurring next year in any event, so it is an uncertain source of revenue and then with regards to the -- some of the development fee revenues, a lot of those fee waivers have to do with projects that have community benefits, whether they be affordable housing or additional density and things like that, so that would have to be something council would really consider if you want to have projects with community benefits. Moving on to the next slide, please, I won't spend a lot of time talking about the hotel occupancy taxings because there

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was a memorandum that went over the weekend that provided a legal framework for these sources and a lot of background information about statutory requirements for these, for the use of hotel occupancy taxes as well, which currently know to the Austin convention center, and the historic preservation fund. The live music fund has in its budget at the end of this year we are projecting we will have \$2.5 million in that fund, an additional 2.2 million is currently our projection at the low end of the fund for fiscal year '21 but that really depends on what happens with the hotel industry and a lot of uncertainty with regard to that. But these funds are already going through a process to review programming opportunities, to put them toward supporting the very type of industries that were called out or some of the type of industries that were called out in the saves resolution.

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Moving on to the nonhot sources of Austin convention center revenues, so that would be rental fees, parking, revenue, interest earnings, there are legal restriction that limit the ability to use those funds for other purposes, again, all laid out in the legal memorandum perceived. The housing trust fund was manager we looked into. It is really these final items are areas where we looked into potentially reprioritizing existing funds. The housing trust fund, the dollar for the year 21 have been programmed for future projects. There are projects in the pipeline or displacement prevention, tenant stabilization and affordable housing, those projects could be postponed and dollars reallocated, but that is not something that we thought we could really work through the tails of or be sure there was any support for doing that in any event, but we did have discussions about the housing

[11:11:22 AM]

trust fund. We received an additional seven \$.5 million through the cares act, an additional allocation with the planning for those funds being related to additional rental assistance, homelessness and childcare, but that is going to take some time. That is going to take at least several more weeks to work through even the accelerated federal process for getting approval for how those dollars would be programmed. In regards to the economic incentive reserve fund, there are \$10.2 million of payments appropriate Ford fiscal year '21 .. There potentially could be an option of postponing those payments, but that is not something we are really able to clearly vet at the time. And we did have discussions about to the Travis county ems station that is current under construction, anticipated to be opening for the final three-month of fiscal year '21.

[11:12:25 AM]

That station is on track to be completed on that timeline and feasibly we could postpone the opening and operating costs for three-month or longer depending on council's discretion to do so so. And that is something that we thought was ready to bring forward this week. So I just wanted to go through all of the things we looked at. Again, \$15 million of items on your agenda for this Thursday. And with that I will let Brian Oakes walk us through the equity considerations for the programming.

>> Can we go to the next slide, please. So good morning, everyone. In response to the resolution, we really worked to develop an equity framework that staff can use as they respond to the resolution and we wanted to just provide a little bit of context this morning in how we develop that framework.

[11:13:25 AM]

The city of Austin is part of a national network with an organization called the government alliance for race and equity and we are a member of a group of cities and county, probably close to 200 jurisdictions now, that are all trying to align racial equity work that we are doing locally and at the start of the pandemic the government alliance on race and equity provided guidance for equity offices that really centered around a series of steps to really adapt and follow in this moment of how we respond to the pandemic and essentially we really looked for how do we respond with our racial equity lens during a pandemic and and the three principles of that guidance really centered around these three steps, knowing the racial history, reviewing the data and proactively centering racial equity in the response effort. And this is really centered around a lot of the work that we've done with our

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emergency operations center. We've introduced the same steps and guidance and in response to this resolution are doing the same. Previous if you can go to the next slide, some of the areas that we have really talked with about staff as they respond to this resolution is really stepping into the history, and in this case really stepping into the history around disaster recovery efforts or economic recovery efforts in the United States. And the pattern that we've really seen in a lot of these recovery efforts is that white Americans disproportionately benefit older people of color consistently and this is an example of some of the research that we looked at. NPR did an analysis of households that received FEMA payouts during various hurricane responses over the last two decades. You can see that white homeowners at every level of caution were made wealthier.

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Only college educated households gained wealth and still at a level below high school educated white households. If we were to look at equity data around recovery efforts of the great recession you would see similar patterns. I believe that African-Americans were the slowest in the nation to regain employment and lost income that happened as a result of the great recession and if you look at analysis around the recovery of home ownership after the great recession you will see that the black and Latinx families lag behind in that. We know that in the recovery efforts we have a pretty consistent and solid pattern of the racial disparities that result from these efforts and as the staff responded to this, we said as an equity office how do we disrupt the traditional

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patterns of outcomes that we've seen in these efforts and what sort of mechanism that we put in place to really think about this or envision this response in a different way. And Perkins Institute put out a report back in July around some principles around equity and the economic recovery from COVID. And they actually titled the report how to rebuild better and actually say that it was a challenge to local governments around how do we really sort of rebuild better with this lens or focus around equity and disrupt that pattern? Previous if you go -- so if you go to the next slide we came one this framework really centered around some of the best practices from here in terms of racial equity as well as our local equity assessment tools that we utilized and we came up with a series of key

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questions that we're asking staff to respond to different components of the resolution so for example one of the really important questions is what does the data tell us about who is benefiting from this. Is the program intentional enough to get resources to those most in need and are we disaggregating data by geography and to use it instead to monitor our impact as we respond. I also think that's really

important for an initiative like this is that there's a lot of moving pieces in terms of identifying the funding as well as how we deliver that funding to different organizations to provide support. So within that what are some of the negative unintended sequences for this -- for various proposals and how do we really sort of do the work to kind of do our do you know to look at those

[11:18:33 AM]

issues around that. So we are also -- we can often see barriers that are there in the application design or access, asking about what does eligibility criteria look like in making sure that with criteria we're not marginalizing certain groups in that process. How are we scoring and what are we evaluating as we score proposals that come in for funding. Panel selection senior important. Do we have diversity on those panel selection. Are our panel selections working from an equity vision as well. Are we marketing to

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communities of color. How are we making them aware of the funding opportunities as well as the technical assistance. Are we supporting support for people to complete applications, answer questions and do all those things. And I would say last but not least what is our plan to ensure transparency and accountability and communicate and evaluate those results to the council, but also to the public as well. So that's the framework that we've introduced to staff really with the goal of seeing how do we really kind of deliberately look at these opportunities, but make sure that we're being intentional and how do we really interrupt the historical pattern that was being in recovery efforts where we've disproportionately seen the resources go to primarily white Americans, but how can we look at equity as we respond to this initiative. And I think I'll pass it on to Veronica.

>> Good morning, council,

[11:20:35 AM]

Veronica Briseno, chief recovery officer. I think we're ready to go to the next slide. We're going to talk a little bit about what we are proposing in terms much how the saves funding could be programmed. Before I do that I would like to talk a little bit about the I am fact that we've made so far. Thanks to this council's leadership as you're aware we have initially approved a covid spending framework early they are year and that has resulted in more than \$27 million that were administered through seven programs that have been stood up since April of this year. We also have an additional \$2.4 million that is currently being administered through our second launch of the Austin non-profit relief grant -- relaunch. We put on here a visual of these programs and when they came online to give you an idea of the activity over

the past several months that the EdD team has been doing as well as other help from other departments as well?

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What does that impact look like? These are programs listed in alphabetical order. The Austin childcare provider relief fund awarded over a million dollars in grants for 72 applicants. This has resulted in 1557 children receiving childcare subsidies. My child is receiving his lunch right now, excuse me. Next we have the Austin creative space program. This is awarded almost a million dollars in grants to 32 applicants, collectively the applicants requested \$3.7 million in financial assistance, which was nearly four times the one million available in the fund. These grant recipients included live music venues, art non-profits, theaters or performance venues, museums or art galleries and independent artists. We also have the Austin

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creative worker relief grant. This awarded a little over three million dollars, 3.3 six million dollars to 1,877 applicants. Collectively this request was at \$9.9 million in financial assistance and this was nearly three times the 3.5 million available on the fund. We had the Austin economic recovery bridge program and as you recall this was the first program that we stood up. It resulted in 1,645,000 in small business loans to 19 of 70 approved applicants. I would note for this program and your -- I believe you're aware of this, 51 applicants declined the loan either because of acceptance of another federal disaster assistance or non-acceptance of the loan terms. We can go to the next slide, please. The Austin music disaster relief fund, this resulted in \$1.5 million in awards to

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just under 1500 performing musicians impacted by the covid pandemic. The Austin non-profit relief grant awarded \$3.6 million in grants to 221 non-profit organizations. As I mentioned there is a remaining 2.4 that will be distributed in mid October. The Austin small business relief grant awarded 16.2 million in grants to 885 applicants. And this particular program we received over \$120 million in eligible reimbursement requests and that was seven times what we had in the program funds. Next slide. So in terms of the resolution this is what we would like to suggest as recommended ways to spend the dollars. We recommend prioritizing the creation of three funds. The Austin music venue preservation fund, the Austin legacy business relief grant, the Austin

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childcare provider relief grant. Each of these funds we recommend funding at the level of five million dollars which equals the total of \$15 million that Ed has spoke to. Next slide. We also are looking at chapter 380 program modifications. We plan to bring this to council as consideration and when we have a little bit more time to flesh it out, but we're working with the law department to draft a resolution for your review. What this resolution would do would allow for the creation of a temporary covid-19 economic emergency chapter 380 program and it will except -- it will allow the opportunity to provide relief to the businesses in these industries that are impacted by covid. I did want to point out that our staff when looking at solutions, they looked at many solutions.

[11:25:46 AM]

And so I want to highlight some of that work and some of the other programs that we're looking at down the road. First of all, we have a plan for virtual proclamation performances, which will feature our local musicians and be hosted at local live music venues or arts organizations in every council district. We're looking at coordinating marketing campaigns across all of our city departments to recognize and promote businesses that are unique to Austin and implement our robust health and safety practices. We're looking at collaborating with third-party to enhance lease mediation services for local businesses. We're developing a how-to guide to help businesses in the vital sectors to pivot during this pandemic. And finally we're providing ongoing access to deck discovery resources through our website,

[11:26:47 AM]

atxrecovers.com. I did want to also include a slide of the economic development corporation. This is spoken to in the resolution as well and do you have an item on your agenda in records to this. So you'll have the opportunity to vote on this on thursday. The resolution that's included allows EdD staff to begin working through the administrative development of the entity, including the development of governance. And initially we recommend to hit the ground running that the initial board of the aedc is staffed with members of -- members of a staff places 1 through 4 which are outlined in the bylaws. The interim staff and the board will retain professional services to begin crafting the agreement between the city and the aedc and along that same timeline we'll begin the executive recruitment process for the president and CEO. And with that I believe that

[11:27:48 AM]

concludes my presentation. Next slide. That wraps it up for the three of us. We're happy to answer any questions. Thank you.

>> You know, one, I appreciate all the work that staff has put into this and the speed with which you guys have reacted to this. No easy task given the issue and the fact that we did this as a council two weeks ago. The scale of the challenge that we have in our community is huge. The need is so great and we have so much need in our community for businesses that face the prospect of closing.

[11:28:48 AM]

We really do need federal help in order to deal with the scale of this challenge. And I appreciate the work that our city is doing and other cities both here and across the country and I urge everybody to reach out to our congressional delegation and centers to say do your job and help us and cities and counties across the country. But we can't wait for the federal help and the saves resolution was focused on a relatively small number of those businesses that were facing imminent closure. But relatively small number, but a really important part of the risk instruct that you have as the city. The criteria that we sent out in the saves resolution beginning on page seven

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really focused as we did on that critical infrastructure, that subset, the businesses that face a substantial likelihood of permanently [indiscernible] Resistance and where there's a likelihood of a similar business opening in the same or similar location due to increased rents or other factors. So what are we going to lose that's going to be difficult and impossible for us to replace. Businesses that uniquely face difficulty pivoting to alternate operating models for generating sufficient revenue for survival. Assistance providing significantly where they contribute to helping to reasonably ensure that the business will not fail versus sufficient period of time to have a realistic path to recovery and sustainability. Providing the opportunity for the greatest multiplier effect we're finding not only helps that business, but helps in industry and

[11:30:51 AM]

community of workers, where the survival of that business helps people with low and middle incomes in that recovery and those where the loss would have the biggest impact on city's infrastructure and economic recovery and preservation of the unique culture, character and brand of the city. I hope we can get this work started and started quickly and that's that's the desire of council as we all expressed two weeks ago. So I support the programming that came from staff as a way for us to launch. The three buckets I think is an eloquent way to deal with those criteria. I think there may be extended conversations about the funding sources or using different sources. My hope is that doesn't slow us down on beginning the execution if we decide we

[11:31:51 AM]

want to study further or change out funding options, certainly we can, but my hope is that we'll recognize this is the scale at which we're working so that we can actually start doing work. And I think we need to get it to staff as quickly as we can to figure out how you do this. In the conversations you had I think there was key interest in leveraging the dollars, so using the economic development corporation or organization and launching it so that it can come in with an tie leveraging its -- in my mind's eye it's not so much we're cutting checks to businesses about putting together a survival case worker team. Heavy into case management so that we can leverage dollars, bringing in expertise like we do with residential tenants where we brought in tenant advocacy

[11:32:56 AM]

and expertise I think we have the same need here. Looking at bankruptcy strategies or eviction prevention strategies, all the things that businesses and organizations if they have access to the greatest amount of competency can employ in order to get a 12-month new lease workout for a period of time so they can sustain past where we are right now. I like that you're moving forward to look at the chapter 380 agreements because I think by itself, but by targeting perhaps some tax relief so maybe we can get Travis county to join with us or other taxing entities in order to be able to help, certain places and institutions that are so important culturally to our city. I want to take this moment

[11:33:57 AM]

to call out to the landlords that are involved in these situations. You know, the hope is and the expectation is that commercial landlords are going to work with tenants in these key and hard hit industries as I know has been happening in some situations. Fuss that are we're really looking for partners in recovery. We'll be open to workouts and helping us get this to survive, help us leverage the limited funding that's available to us. And all that said, I hope that we also as part of this effort focus on the things that we can do for businesses, like restaurants and bars that don't qualify under the criteria that we set. I know the government has moved everybody back to 75%. And that -- opening up more bars that are associated with food sales, we need everybody to do a really

[11:35:00 AM]

good job of masking and playing by the rules so that we can sustain that opening. But a lot of people aren't going back to restaurants, at least inside. I know that even with the 75% occupancy because they don't feel comfortable doing that yet. The council took action to -- I don't remember who led on that. I apologize for that to have the increased ability for restaurants to be able to operate outside and to remove the barriers. I think that was councilmember pool who baccalaureate. Thank you for your leadership on that. To really expand, remove the barriers so that these can operate outside. I know there hasn't big a big uptake on that as I think we may have hoped. I don't know if that's because Texas is hot, but it's cooler now.

>> It's too hot.

>> We see other cities moving in that direction. I want to make sure we're doing everything we can to expand those opportunities

[11:36:01 AM]

and facilitate that. The technical support for helping with security regulations, helping with marketing campaigns. I know that the staff has been meeting regularly with focus groups with things we need to be doing and for us to be able to operate in those records with the understands that are coming forward so that we can help. And even considering restaurants and those uses were targeting chapter 380 assistance as well. That might be something that could be offered to a landlord that's willing to work with a tenant that is trying to survive. And maybe there's an opportunity with some of these venues in -- that do qualify, that do fit within these buckets to not only help with rental relief, but to acquire some of the properties with a long-term lease back so long as it's used for the civic

[11:37:01 AM]

infrastructure infrastructures. Anything else? I'm going to stop. I'm encouraged this has come back so quickly. I wanted if they can to get it going, get the improvement and the process working to start the economic development corporation, even as perhaps we work out some of the other details as we move forward. The need is great and the opportunity and benefit torosity is going to be -- to our city is going to be extreme. Councilmember pool.

>> Thanks, mayor. I wanted to respond to a couple of points that you made and Mary may have some questions and I have some questions too.

[11:38:14 AM]

[Indiscernible] In hopes of another federal allocation of cares money. We need a bridge to get folks from today to six months from now. So where's the money? Where are we going to get it quickly? We provided \$25 million to the better business bureau. It's item number 12 and that has run into significant problems. I'm monitoring that and I have a number of questions about that. So when he a big chunk of money and we put a contract out to an organization that had no roots in our community and then no surprise that there were problems with its distribution. As far as eviction prevention, a lot of the venues are already in active conversation with landlords. A lot of them are owned by the people who are coming to us needing some assistance in order to pay them.

[11:39:16 AM]

It's not so much eviction, it's the bank notes. We know -- so it's more than just eviction prevention. Obviously we don't want them to be evicted, but it's way more than that and we have to acknowledge that this is a different kind of a situation in making sure that the family is not evicted from an apartment. There are some programs to help people to stay if in their apartments -- to stay in their apartments and we need to have a robust and effective program to keep the venues and the restaurants, the independent restaurants from having to close their doors. The staff sent us a memo saying that there are no abilities. We don't have the ability to provide tax relief. We have to collect it. I think it actually gets paid to the controller and we don't have any wherewithal to change those. If somebody knows a way to do that, let us know, but my understanding is that was not actually a possibility. And then just a point on the

[11:40:21 AM]

landlords a lot of the folks at the and who have been -- at the rally and who have been organizing, they have their own business, they're musicians. I guess what I'm saying is we seem to be talking around the problem. It's a lot of words. The need is that we need to get financial assistance to the folks who are the music in Austin and who are the food in Austin because music and food is what has crafted our brand. @that's why a lot of people have come to ausn. So we really need to dig in and we know that the size of the need sheriff's department north of \$50 million -- the need is north of \$50 million. We showed 1500 groups getting a 50,000-dollar total allocation that could cover them for the next six

[11:41:21 AM]

months would be \$75 million. That could be restaurants, could be music venues. So what I'm saying, mayor, is I think that we're out there -- the resolutions and with responses from staff to our questions, but we are still falling short. We still haven't gotten to the core financial resource that we need, the size of his problem, the size of the challenge that the people most affected are placing in front of us and

desperately asking for us to act. And the challenge is also in the timing because we can't afford to wait for the eo to be set up. We have to be able to nimbly provide the resources and we ha to do it now. I do have some additional questions but I wanted at this point to simply respond to the things that you had said and try to recenter the

[11:42:24 AM]

conversation to the here and the now. There's urgency here and I really want to honor that.

>> Mayor Adler: Colleagues? Councilmember kitchen.

>> Kitchen: I have a lot of questions too, but let me just do a summary first and then when we're ready we can get down into details. I want to key in on what you suggested in terms of what we're trying to accomplish here, which makes sense to me. What I'm wanting to see is the kind of analysis that councilmember pool is asking for. So in other words, I want to see the need for the kinds of businesses that you outlined compared to what we're saying we have available. It strikes me as not

[11:43:25 AM]

sufficient. I think it's a good start and I agree with that. And I think we need to start quickly and I want to thank our staff for identifying some immediate things. But I have a lot of concerns about the areas that have been ruled out and I want to talk about them more. I think there are more things to this than we're suggesting. And director Briseno, I appreciate you running through what we had learned from these other programs in terms of the need or evidence that we weren't able to fulfill. And I would ask you to pull that together in some kind of chart for us. It's really hard to follow that way. I appreciate you pulling together what you could for today. It's not a criticism it's putting us towards what we really need to analyze. Because we need to understand the scope of the need for the groups that the mayor has laid out and

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compare that to what we are finding that's available. We have that information from the groups themselves. They have let us know what they think is needed. We also need to look at that in light of what we have learned. So because, mayor, I appreciate what you're laying out, but I don't want to just -- I don't want to just approve a number and then think that we have accomplished what we're trying to accomplish without understanding how that number relates to what the need is. I also think that I'm prepared to approve an amount to get started, but I want a timeline, a specific timeline on the other areas that we are investigating. And there's much more to discuss and I think we're going to be

discussing some of these areas in executive session. But I think for example on the hot tax, I have proposed a visitor information center

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and I'm working with legal to analyze that and I expect to bring something back on the 15th. It is clear that we can use hot tax dollars for visitor information centers. The question is not whether or not we can use those dollars, but what would be the parameters that are necessary within the law around that. That's one option. It's not going to be an option for everyone, but it is one option that can -- that I think can help some of these iconic places that have been with us for a long time and draw visitors and are part and parcel of our tourism and our culture. So to the extent that we identify other areas that we want to examine like the 380 agreements and some of these other areas that we can talk about more, I would like to have a set timeline and it needs to be quick. That we come back and talk

[11:46:30 AM]

about them. So we can get into the details. I have a lot more questions about the co's, about the 380 agreement, about the economic incentive reserve and about the other aspects of the hot tax that we can talk about when it's time to get at them. I'm not understanding or not quite yet convinced that we can't use those. So.

>> Mayor Adler: Thank you, colleagues K councilmember tovo?

>> Tovo: Thank you, mayor. I have some questions and there's some council dialogue I would like to have today. I hope we can come back to this after executive session if we are able to wrap up executive session. I think that might generate some conversation that we need to have out here. But to just kind of kick it off, I want to say I really appreciate the staff working

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quickly on this. We've had several resolutions during this pandemic, including some that I've brought asking our staff to try to identify some funding sources for relief to our music venues, our creatives, our musicians and others. And so I appreciate this continued work and the ideas they've brought back this week. That being said I'm committed to identifying some funds and to approving some funds this week but I have some significant concerns about a couple of the funding sources that have been identified and also some real interest in exploring some of the funding sources that were identified in the resolution but have not come forward in the resolution on this week's agenda. Thank you, councilmember kitchen, I appreciate and am very supportive of your continued work and leadership on visitor centers. I agree with everything you said S it's not going to be a solution for an

[11:48:31 AM]

appropriate category for all of the venues, but I think it is absolutely appropriate for some of them and [indiscernible] And I look forward to exploring your proposal. So without further adieu, I would like to jump into some of the questions I had. With regard to right-of-way fees. As I thought about this issue, I brought forward an amendment that got incorporated into the resolution and I'm appreciative of that for right-of-way fees, al vacations, -- alley vacations, encroachment violations. I want to talk about those because I think they're a really good category to explore. The temporary review of right-of-way fees, as I thought more about this it seems to me that as I think it was said, those can be allocated to any use that has a municipal purpose. At some point a city council decided that those should be designated entirely to the

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transportation department and that may have made a lot of sense at the time. I think this is the time where we need to reconsider whether that's the appropriate allocation. For one thing, when there are right-of-way issues going on those often have an impact on the nearby businesses in terms of potentially discouraging pedestrian traffic and other kinds of things. I was just looking this morning and I know our city staff responds to those when they're raised to their intention and they are not having an impact on nearby businesses. So what concerns me about this, the transportation department memo that they have given us back before we voted on 62 at our last council meeting talked about a portion and I think it was about 500,000. I've got the figure here, that they felt they could allocate toward this purpose without raising the allocation user fee.

[11:50:33 AM]

So I want to know how this is an increase to the transportation user fee and I also want to look really carefully at -- at what would be the impact of using some or all of of this right-of-way fees without turning around and then increasing that fee on all of our utility customers as that's how it's assessed without -- I lost the train of thought. But the mechanism is of concern to me, of the fees that we would assess to our utility customers. So I don't know if a line could just briefly talk us through would happen if we use the right-of-way fees but did not increase the transportation user fee what would be the impact in terms of the departmental operations and then the second piece of that is some

[11:51:33 AM]

of the legacy decisions of the fees for particular use from time to time and I think we should be looking at whether all our fees should be allocated to transportation.

>> Councilmember, this is Ed van eenoo. I don't know in a that we have somebody from atd available to speak to this, but we did have the conversations about a fee increase versus program reductions. So we definitely owe I see Jim there so I'll let him speak to it. But definitely there were going to be program reductions needed in atd in order to -- on whether there would be a fee increase. Jim?

>> Thank you, councilmember for the question. Yes, if we were going to have to provide more of the

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right-of-way revenue, transfer over, that would without a replenishment of those funds, that would result in a reduction in services. Freezing of positions. And then the third one would be that -- that we'd like to avoid, but may be needed too in there is that we really have to contemplate layoffs as part of that too. I can talk more about that, but that's the quick answer.

>> Tovo: Thank you so much, Mr. Dell, for that. I appreciate it. I know, number one, there was some portion of that that the memo had classified -- not necessarily right now, but if we could treat this as a question in the q&a or if I could supply it after today's work session. I would like to understand exactly how those figures break down and so if there are program reductions that are necessary, what programs would those be and what

[11:53:37 AM]

extent those would be. You're talking about freezing of positions. It's any understanding that we already have a hiring freeze so some of those positions may already be frozen. Unless that didn't apply to the transportation department because it's an enterprise fund. And then I know that it's certainly my commitment to try to avoid layoffs. So I would want to know what portion of the funding is paying for the certain provisions that we would want to continue just so we can kind of tease out that information. So thanks, that's very helpful. I would like to know how much we owe so since -- so since we're talking about arrive ways and alley vacation agreements, I want to get back, Ed, to -- thank you for exploring those. I need to understand -- I think there are two questions here. One is about what has, as you said, you and maybe others. It's not clear to me who provided these

[11:54:38 AM]

recommendations to us whether they were coming from financial services or from others. But I think the -- the point that you made is that those -- alley and street vacation have been made through the fund that we have made. If you can tell me what that amount totals and to what projects those have been committed. So there's that question about whether the funding that we already committed through alley and street vacation Kales sails for fiscal year 21 can be reallocated for this purpose. But the other point of the amendment I brought is really making a conscious commitment right now to allocate upcoming encroachment and alley and street vacation sales to those purpose of supporting particularly our venues which are very often in the same areas where we have those fees being generated

[11:55:38 AM]

downtown, along some of our major corridors like congress and south first and Lamar. So not south first, I need congress and Lamar. So I'm very interested in circling back to then, understanding in fiscal year 21 and maybe provide a set information now what amount that totals and to what projects those have been allocated and that I would like to ask my colleagues to consider whatever I think we would need to post an ordinance for next meeting, saying prospectively we wanted to commit those funds for the next two years to this purpose because we are -- we have large projects coming forward, especially in the downtown area that will generate these fees and very significant ones. Again as I mentioned in our council meeting, potentially as much as \$30 million can be generated through these meetings. So I would like to see us make a commitment now to dedicate at least a portion of those fees. So the first part was a good

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question. I think Mr. Van eenoo isn't in a position to answer it about what the fiscal 21 looks like.

>> The amount in the fiscal year 21 budget is an estimate. We don't know what the sales are going to be until they occur. Based on recent history, similar to the right-of-way fees these are fee revenues that had not previously been in the general fund but as part of the fiscal year 21 budget we started moving those or we budgeted those in the general fund budget. It was part of our approach of getting the budget balanced this year. They're not dedicated to a specific program or project or department. They are just general revenue -- general revenues that go to support the overall general fund and keeping it balanced.

>> Tovo: Okay, thank you. So I'll do a little work with staff and with legal to figure out what action we

[11:57:41 AM]

could take within our posting language on Thursday to accomplish what I'm describing in terms of prospective use of that funding going forward on our next meeting. The fee waivers. And this maybe is better for q&a question 2, but maybe you have that information. You addressed the question of fee waivers particularly for large events, for some of the parades and things. You know, I know we don't know what's happening in the spring at this point, but we do know what's happening in the fall and I believe we have a few of those large fee waiver -- large fee waiver events in the fall is that the care or miss remembering which ones trigger fee waivers?

>> I don't know that we have them in the fall. Of course, the spring event is the large event of significant fee waivers, associated with it. We estimate that would be in the neighborhood of 1.5 million to

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\$2 million that council annually waives related to special events.

>> Okay. I think I may need to drill down a little bit on that outside of this. So the economic incentives, two more areas and I guess I may need to defer some of my questions to allow my colleagues to ask questions. But the areas I want to ask more questions about are the economic incentives and also the pay for success. With regard to -- so the economic incentives and see if anybody else wants to jump in.

>> Economic incentives, I have a couple of parts. How much -- a few years ago we had done during the budget process I had done an amendment that was supported, wasn't happy about prepaying for our economic incentives, so I know that we did stop some level of prepayment for economic incentives deals and have in that funding, in that fund closer to the amount that we

[11:59:44 AM]

actually would be obligated for the following fiscal year. Do we have any overage in that fund beyond just what our commitments are for the previous year?

>> So your memory is correct, we did make that adjustment. We don't have any overage, in fy-21, it is \$10.2 million, which is what our payment for the agreement would be. And then for fy -- it is a reserve fund for fy-21 we are also reserving eight after the million which is our projected payments for fiscal year '22.

>> So do we have any money in there beyond the 10.2 and 8.5?

>> We do not. And thank you. That's very helpful information. I would like to say, though, that if we are going to, in essence, borrow from a reserve fund with the intent to replenish it it makes me far more comfortable to borrow from

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our economic incentive reserve payments for fiscal year '22 than it does to borrow for our pay for success fund and part of why we prepaid that pay for success fund is because we have a pilot program going on -- I have questions, real specific questions I need to ask about pay for success but I will just leave at that point if we are going to borrow from a reserve fund I would be much more comfortable doing it from the sin 7, incentive fund that for services with housing for those who are in real need of it. In our community. Thanks, Ed. And I have more questions but I will end.

>> Mayor Adler: Colleagues. It is noon. Does anybody have any further questions at this point on this? Councilmember Flannigan.

>> Flannigan:.

>> There is a lot of still good work yet to do here. I did just want to thank staff. There are stories coming out

[12:01:46 PM]

about the state and the county having been unable to expend the cares act money that they have collected and, you know, we asked staff to move quickly, to get the money out into the community and not just that, but to do it in a way that would give us data that showed what the scale of the need was and Ms. Briseno thanks for your presentation because you hit both of those point really well. There is a gigantic scale of need in the community but I am pretty pleased with how quickly the city was able to get the money out the door and into the hands of folks in need and, it looks like our programs are working and they work quickly, they want to allocate their unexpendable moneys over to our staff, it looks like we have a process will work so thank you, staff for all of your hard work on this. I may have more questions later. I just wanted to get that in

[12:02:47 PM]

before we took a break.

>> We have a little over \$5 billion in money that is not allocated yet that has to be spent before the end of the year. Further comments?

>> Councilmember pool.

>> Pool: Thanks and yes of course, the state absolutely should be helping out. They haven't done anything. The governor hasn't even called a special session to have that consideration. So there is a huge gap in what the state of Texas is doing and

-- we did have some conversations with commissioners with the county about the 17 percent that was distributed around the -- Travis county, my understanding from the commission is -- --

[indiscernible] -- So we may receive reports. It did seem like -- so a couple of us chased it down and they

[12:03:50 PM]

are diligently trying to distribute the funds, the city.

>> Mayor Adler: Okay. Any further comments before we break? Mayor pro tem?

>> I want to thank staff. I know this was a heavy lift and a quick turn around and, just kind of want to reiterate some of the mayor's comments in that, you know, I feel so many times our community and rightfully so looks to the city to solve these huge, huge, huge problems and issues and we do it without state and federal help and I encourage -- we have gotten so many e-mails and I am grateful to see people involved. Please reach out to the governor, send that same e-mail campaign to our state leaders,

[12:04:50 PM]

to our county leaders, to our, you know, our federal government. When we see so-called billionaires paying \$750 in taxes we have a broken system in how we have safety nets for people in time -- in need in general and even in more -- and even more in times of crisis, so please continue your outreach to all levels of government. I do -- I know we are trying to get into lunch here. I do have concerns about the equity aspect. I always do. Who will get these funds and how they will be allocated we also had a lot of community outreach to us about any organizations or businesses that do get city funding, ensuring that they are providing their employees with living wages and I the I that is an important -- I don't know if someone touched on that already,

[12:05:53 PM]

but any -- any subsidy that city provides I want to make sure a that they are -- those business owners and facilities are providing -- I would say at least what the city's minimum wage is, which I believe is a close to \$16 now, if they are getting city dollars. But thank to the staff. I think we have a lot more discussion on this and we need help from all levels of government to address these very big issues.

>> Mayor Adler: Okay. Colleagues, anything else before we break? Councilmember alter.

>> Alter: My apologies if someone else has already mentioned this. I had to deal with a little lunch crisis here. So I am interested in us really exploring the degree to which we can invest in sort of the promotional videos and invest in our artists when I think about

[12:06:54 PM]

this time and how we are approaching our response, I look back to the new deal and there are examples in the new deal, some really exciting programs with -- sorry -- excuse me. With the wpa and others, federal art projects. This is how we have the beautiful work of Jacob Lawrence and the writings of celbello and the photos of Dorothy Elaine and even that we have preserved some of woody Guthrie's music is because of the efforts that were made in that time to promote our arts and culture and I think we really need to be exploring whether we can use some of our hot reserves to support our artists in that way. That is totally legal and feasible by the rules. And even a little bit will two a long way and would help us as we

[12:07:54 PM]

transition out in so many ways. So that's something I think we really need to be exploring, moving forward. And I don't know if somebody mentioned this but it is my understanding the governor is sitting on like \$5 billion to Texas he hasn't allocated. Senator Eckhardt and representative Howard are working on this, but, you know, that is money that could really help in this situation and so I am probably echoing things that have already been said but I think it is really important we get that money spent. I believe it had a deadline of December 31st.

>> Mayor Adler: Yes. Councilmember tovo and then councilmember kitchen.

>> Thank you. So the additional questions I know it is lunchtime and one of the people that was advocating that we end on time so we are awaiting lump they will go into

[12:08:55 PM]

crisis so I want to be sensitive of that before by ask my questions and be sensitive that we have staff returning after executive session. So what would you prefer here in terms of questioning? A couple of quick questions about paper success and about the -- one of the slides with regard to the 380 -- so into I would propose we break for lunch and come back and do the remainder of the pulled items and then we would go into executive session. And I did not have us coming back out after executive session.

>> So can we ask -- I guess then can we ask questions about this after our lunch? Is that what your preference would be at this ..?

>> Mayor Adler: Yes.

>> Super then I will save mine for them.

>> Mayor Adler: Okay. Do you want to do that now colleagues it is 12:09? Do we want to have a break. That would have us come back at 1:10. Do you want to come back at

[12:09:55 PM]

1:10 let's do that. We will do the rest of the pulled items, which at this point only have the one less, number 57, pulled by councilmember tovo, 12 and 57. Plus kitchen has conversation on this 52 and break for executive session. All right. So at this 12:10 this meeting is in recess. See you guys at 1:10. >>

[In Recess]

[1:15:42 PM]

>> Mayor Adler: We have a quorum. This is our work session, September 29th, 2020. The time is 1:15. We're back from lunch and our recess. We're going to continue with questions and conversations about this item 52 and then we'll go the other pulled items beginning with 12 and then 57. When we're done with pulled items we'll go into executive session. And that will be the meeting today. Colleagues, I got information from Dr. Escott relative to one of the questions I asked. I was trying to get what the trend was with community care. Community care is one of the arms of central health that deals with providing direct

[1:16:44 PM]

service to under insured populations. A week ago their positivity rate was 10.4% overall and 14.7 in the Latino community. This week our numbers have dropped and they are at 4.9% overall and 7.1%. All right, colleagues, any further questions on item 52. Councilmember tovo.

>> Tovo: Thank you, mayor. I wanted to ask a couple of questions, as I -- let me start with the transportation user fees. So the user fee would result

[1:17:44 PM]

in a 50-cent increase, and is that per month?

>> Yes, councilmember, that would be a 55-cent increase per month.

>> Tovo: Okay. It says 50 cents in the memo, but I remember in the backup it saying 55 cents.

>> Yeah. It doesn't --

>> So that's accurate?

>> Those numbers are moving around. It's 55 cents --

>> Tovo: So a little more than six dollars a year.

>> Correct.

>> Tovo: I would like to talk about cable systems for a moment. So we had -- I think I do have the right person to start off with the responses. As I recall we did this last year in pay for success in part because it was the last year before the tax cap and there was an interest in

[1:18:44 PM]

putting things towards one time funding that way we could help putting some money aside for the highest council priorities during the last year before the tax cap so that we can be sure we had that funding available to us in those years where the tax cap applied and I think that's when we prefunded the pay for success initiative. Is that correct? So did she that not this year's budget soy, but for fiscal year 20.

>> 4.3 of that \$6 million for the fiscal year budget for exactly the reasons you laid out.

>> To be sure we had it in the outgoing years because of the tax cut?

>> It was all part of our strategy for trying to soften what we knew would be part of the budgets for a three percent cap.

>> Thank you. I think that was a good decision. I certainly supported it.

[1:19:45 PM]

And if we're going with a pay for success model at this point, but we are, I assume, moving forward with the actual project, which was to house individuals who are experiencing homelessness and are at the highest risk of cycling in and out of our criminal justice system, our emergency rooms because it is not just more humane and better outcomes for those individuals, but also it is economically the best decision to fund housing and services upfront and help break the cycle of homelessness among other situations for those individuals. So can somebody, maybe acm shorter, you're in the best position to answer this? What is -- what happens with that pilot program if we shift the funding in the way that's been proposed.

[1:20:50 PM]

[Indiscernible].

>> Good afternoon, councilmember. I'd love to turn this over to Bella Carmen who have been working to coordinate much of the -- that we have reached out to partners and to make sure they understand that the city's commitment, full commitment to the permanent supportive housing project is still very much there, Bella Carmen, feel free to jump in to answer the first question, and I'm happy to answer questions as they come.

>> Tovo: Acm shorter, can you tell me if this was the suggestion made by

[indiscernible].

>> We all worked together to respond to the resolution. Councilmember tovo, I'm not sure if you can hear me. Your screen is --

>> Tovo: [Indiscernible].

[1:21:50 PM]

>> We all worked together I would say jointly to come back with these recommendations so I think we need one agency to put forward recommendations. We worked with Ed to brainstorm and then come together with the recommendations. So I hope that is responsive to your question.

>> Good afternoon. This is vela Carmen, interim

[indiscernible] For the city of Austin. Your first question was yes, you have been continuing to have discussions with potential partners and the intent is to continue with the same type of project, but with just a different type of focusing rather than the pay for success financing. But exactly as you said, we want to move forward with permanent supportive housing for high utilizers of the

[1:22:53 PM]

medical and criminal justice system and we continue to have conversations with potential partners both public and private that were part of the original pay for success project.

>> Tovo: So as I recall we funded through the downtown density bonus program a pilot with five individuals who are currently house and receiving services. Am I remembering that correctly?

>> That is correct. There was a pilot program that was originally funded by the St. David's foundation through a grant with them. The city provided funding for the housing component and St. David's foundation provided the funding for the services component for that pilot. And it did provide in July I believe some additional gap funding when the St. David's foundation grant ended for those services to continue. And so that is part of certainly what we are looking at as we move

[1:23:57 PM]

forward with a project. Those 24 individuals are still receiving services, still part of psh and still will have to be included as we move forward in the alternate model project.

>> So the alternate model project, I'll call it pay for access even though it's not using that structure, would continue to house those individuals and to expand it to individual individuals. That will depend on funding available in the next several years.

>> What you mentioned is correct is that it would be the initial pilot participants as well as expansion to the original project was 250 individuals served over five years. It would ramp up and most of those individuals in units

[1:24:58 PM]

and receiving services within the first two years, two and a half years and then continue. By nature of permanent supportive housing we do need to ensure that the funds are sustainable for a project like this moving forward, but the intent was the 1.2 million annually as Ed mentioned before lunch and so that was targeted in fy21 would have been the 1.2 million.

>> Tovo: So we have the 1.2 million for this fiscal year but the additional out years were part of that reserve fund. And so we are looking to include ongoing funding beginning fy22 and beyond.

>> Tovo: Thanks for your

[1:25:58 PM]

work on that. I think it's a critical program and I'm really glad our council has supported it, including making a change to the downtown density bonus program in a way to fund that pilot. So I think it's important that we make that commitment for our funding and important that we take the step in expanding the program to know that we have the funds to be available this would be one of the last -- of your feedback, colleagues, but also the staff feedback on how we could accomplish -- how we could

accomplish that and still take action on Thursday and just off the top of my head I think what I would like to do is suggest that we allocate the funding on Thursday, but

[1:26:59 PM]

from phi successfully with -- and it may be a meaningless shift because we may already have -- staff may already have the flexibility to do this. But what I would like to suggest is that instead of allocating -- that we allocate it instead from the alternative incentives reserve fund set aside for fiscal year 22. I think it amounts to same thing. Both of those foresubsequent units rather than payments that have to be distributed for fiscal year 21 and if we can't identify funding to meet that commitment in fiscal year 22 then I would rather -- I would rather that we fail to meet -- I would hope that would be the case in either circumstance, but I would far rather it be one about incentive payments than having people lose their support services.

[1:28:26 PM]

Part of how we were able to suggest the partners that we did for the pay for success model and I think our continued -- our continued success in securing additional partners will depend on them being able to see that the city has made a commitment and having that funding set aside as part of that. So anyway, I would open that up to my colleagues to see whether they would support such a shift.

>> Mayor Adler: Councilmember tovo, I share the concern about taking the money out of pay for success because I think that's a real high priority for the city. I think that as far as Thursday goes, I would probably -- I'll think about it over the next couple of days, again, because I share that concern. Where I sit right now is I would let it stand the way that it stands on Thursday. I think that we're going to see that we have the ability to take some funding out of

[1:29:29 PM]

the sales tax bucket. We have a month that's gone down here and we need to check and make sure that it's not trending down, that it was an aberration. And I would see us then put that money back into the pay for success so that it's holding, and I think that doing it that way helps ensure that we're actually going to fix this funding gap that occurs just because that use is something that I can't conceive of this council not replenishing. I think we have the coming weeks to figure out we have the sales tax revenues as they come in. But I would say that I join you in believing that the pay for success is whatever form it is with our colleagues, institutions and entities helping us is a really high priority for us and for the city, which is

[1:30:29 PM]

why I'm keeping it that way and it best ensures that we'll actually replenish it. I'll think about it because I share the same concern. Councilmember alter.

>> Alter: So maybe staff can tell us how much money is in the economic incentive fund or that would be set aside for 2020 that's already in that fund?

>> So the budget the council approved for fiscal year 21 included an 8.5-million-dollar reserve. That reserve is predicated upon the businesses that received the tax abatement paying their taxes in December and January of this cycle and then we actually reserve those funds to abate to the companies in the next year subject to them meeting their performance goals. So it truly does act like a reserve. They're paying they're taxes first, we put them in a

[1:31:30 PM]

reserve and abate them in the next year.

>> Alter: So we could have an option of even splitting it to -- we can say we're going to take out 2.4 million from that and 2.4 million from pay for success, and we have some options there, I think. Am I right?

>> I think you would have some options. I think the difference is that pay for success is actually set up to be a reserve fund. It was set up as a fund, a special revenue fund to allow for us to transparently account for the funds in this program. It was only in fiscal year 21 that we made the decision to prefund it, from the perspective of the whole tax revenue that councilmember tovo was speaking to. The pay for success program, if we could pull 4.8 million out of that and then the

[1:32:31 PM]

council could fund 1.2 million a year over the next four years, which is what the original plan was. When you look at the economic incentive reserve fund, if we pull 4.8 million out of that year, that fund, it call needs to be made up next year because the tax abatements are due based on performance objectives being met.

>> Alter: I may have some other questions that I'll take offline and leave it at that.

>> Mayor Adler: Okay. Anything else on this item 52 before we go to a different item? Councilmember kitchen.

>> Kitchen: I have a different question so I wanted to make sure that councilmember tovo had their question answered first. If anybody wants to comment on her question. I would say that councilmember

tovo, I share your concerns and so we'll be thinking through what the options might be and just like my colleagues have

[1:33:37 PM]

raised. So go to a different subject now?

>> Mayor Adler: Yes.

>> Kitchen: All right. I wanted to explore a little bit more the 380 agreement concept that was suggested. And I'm wondering if -- I think what I heard is when that was laid thousand that might be something that the staff is considering bringing back to us. Can you speak a little bit more to how that might work. My question really is can you use 380 agreements to -- it sound like we are -- I think this is how we use them now, but we use them as a way to abate property taxes in exchange for certain performance. So could we apply that -- could we apply that concept to these particular venues

[1:34:37 PM]

and restaurants that are performing in accordance with the parameters that we want to set. Is that what the staff was thinking? And one of the reasons I'm asking -- I'm sorry. One related question is that we said -- I think it's been maybe two years ago now that we wanted the staff to come back with a 380 agreement that focused on our local businesses. I don't remember setting any more specific parameters than that and I apologize, I'll have to go back and look. I think we provide a direction and that came when wic it was two years ago when we changed the focus of our 380 agreements. We adopted some materials -- we adopted a base agreement that said we were going to change how we did 380

[1:35:37 PM]

agreements and then we adopted one of the programs moving forward and that one program had to do with one aspect of it was hiring hard to hire folks that it was harder to hire, had more difficulty finding jobs. And we said at the same time that we wanted EdD to bring back to us another 380 agreement program that related to small businesses. Now, I think I'm remembering the basics like that, the details I'm not remembering. And I'll be happy to look it up. I haven't heard anything about that since we asked for that to happen. So this sounds like that, which sounds like a good idea to me and I'm wondering if that's what you're thinking, director Briseno is what we would be talking about is a second 380 agreement program that would focus on -- we would define it to focus on these

[1:36:38 PM]

entities that we're trying to help. Is that what the thinking is?

>> That is the thinking, councilmember, that we would -- and you are absolutely correct. This council adopted a 380 policy two years ago and it predates me, so -- from the department. So if I misspeak something, feel free to check in. We had some conversations about what a small business program would look like and then covid happened, we got a little redirected. So we're now proposing a program that would apply to these industries of focus. I would add that we identify about 500,000 within the economic development budget that we think we could allocate towards this, but we haven't really had a chance to tease out the in idea of any additional funding assigned to this beyond that. Depending on the success of the program that is something we may want to consider.

>> Mayor Adler: You're

[1:37:40 PM]

muted, Ann.

>> Kitchen: If I could ask a few more questions about that then. The way that program works is -- at least the way it's

[indiscernible]. I'm not sure. So the program that we have in place right now that we adopted two years ago, did we set that up such that the property taxes were paid ahead of time and put into a reserve?

>> That is correct.

>> Kitchen: So we basically have two existing 380 agreement programs going right now. The one that councilmember tovo was asking about and then the one that we created two years ago, is that right? If I need to take this offline, that's okay.

>> Sure. I think it's not really too different 380 agreements. Two years ago you adopted a chapter 380 policy for all three 380 agreements. And so that really

[1:38:41 PM]

incorporated all of the community benefits that this council has led with and made that a part of our standard 380 program.

>> Kitchen: I'm sorry, go ahead.

>> No, go ahead.

>> Kitchen: Two years ago we adopted a policy change and we adopted a new program. So I'll take it offline to go into details but I do know we adopted a new program because we adopted a policy change and then we said that document we would build off of to create new programs. And we did adopt one of the programs. But anyway, the point is -- I'll take this offline for the details of it. But the bottom line I'm trying to understand is how quickly could you bring that back to us. It's not going to be that useful if we take a long time to put it into place.

>> Our goal is to have it back to you in two weeks. We almost made this agenda, but not quite.

>> That's great. That's wonderful. I think that's very timely.

[1:39:44 PM]

So I'll take any questions offline. If I'm understanding correctly that's an avenue to -- it's a potential avenue to deal with issues related to property taxes. And it allows for an avenue for abatement of those taxes. And it's something that y'all can bring back in two weeks. Thank you. I will ask my other questions about it offline.

>> Mayor Adler: Director Briseno, on that one I appreciate that you're looking at it and I appreciate that you're bringing it back. I don't know that it's enough to really move the world, but if we were developing some kind of stack that we could offer to landlords as reducing costs if they're not getting paid rent, for example now, even in triple nets they're still paying the taxes. It might be something that added on would help on its

[1:40:46 PM]

own. But to that end when you bring it back in two weeks if you could give us a feel for what the impact might be on property tax revenue depending on how widely remade something like that available as part of maintaining some of these infrastructures so we can get a feel for that side of it too. But thank you for jumping on this so quickly. Continuing with the work I think you were already doing. Anything else? Councilmember tovo and then Kitch.

>> Tovo: Thanks. I have a question hiccup on this one. Can you help me understand, and I apologize if it was in your responses to councilmember kitchen, I missed it, but on the slide 15 there's a reference to exempting [indiscernible]

>> Mayor Adler: You're breaking up, Kathie. Now you're off the screen.

>> Tovo: [Inaudible].

[1:41:49 PM]

I am?

>> Mayor Adler: You're back on now.

>> Tovo: Page 15 on the slide, can you please explain what would be exempted? What would be the particular exemptions that you would be requesting?

>> That is what we're working on right now to bring back to you. We're looking at how to make the program more nimble and flexible for businesses in these industries impacted by covid.

>> Tovo: There are quite a few policies within it. Some are about the timing for council and the mandates that there be a public hearing and then a two week lag. I've forgotten exactly what the timing issues are. Some are requirements regarding wages and community benefits. Are you looking at all of those requirements or just some or can you give us some sense of what it is? I think it's great that we're looking at depending up to \$500,000 in this way for a small businesses to support that because I want

[1:42:50 PM]

to have some sense of what those exemptions might be or what might be on the table for deliberation.

>> So we're considering any and all of those exemptions. I would add it would be a temporary exemption so we're looking at only the next year 24 as we're going through this and we're still fleshing all that out. We will have more details for you in two weeks and I'll be happy to meet with your office if it would be helpful.

>> Tovo: I appreciate that and likely will take you up on it. I do know there's been so much community interest around this policy and a whole lot of work co-creating the revisions to it, I think it's important for the public to know what some of the proposed exemptions would be. So hopefully as soon as you have some clarity on what you might propose to the council we'll get that out for community conversation as well.

>> Absolutely.

>> Mayor Adler: Thank you. Anyone else before we move to the next item? Yes, councilmember kitchen.

[1:43:52 PM]

>> Kitchen: I apologize, I'm not -- if this is something you were looking at. Has there been any review of utility cost? So some of the concerns that we've heard from venues is that the necessity for them to continue to pay for utilities while remaining closed, and so I'm just curious whether that was an area that you looked at in terms of the ability to either waive or defer utility fees? And the reason I'm asking that is because it is -- we do have a city of Austin electric utility and I know we have done some relief

with regard to individuals. I just don't know what we've done in a commercial or for businesses. So is that something that's

[1:44:56 PM]

[lapse in audio]?

>> Part of the broader discussion we were having, we did not get into too many of the specifics of the opportunities there. We can follow up as well.

>> Kitchen: Okay. I'd like that that be looked at. There might be some opportunities there. Some of the major concerns that we're hearing is the cost related to rent, of course, and taxes and utilities. So I'd like to see what kind of options there might be in that area.

>> Mayor Adler: Okay. Any other questions? Councilmember alter?

>> Alter: Are we going to go into executive session on this item?

>> Mayor Adler: Yes. After we finish the pulled items.

>> Alter: Sorry, I think I'd have some questions I would like to cover then, I think.

>> Mayor Adler: Okay. Councilmember tovo?

>> Tovo: Thanks very much. So (indiscernible) I think it

[1:46:00 PM]

was Ed who talked about it, I know there's been a group -- a work group of the commission that's been looking at a plan for spending that funding, investing that funding in our live music ecosystem now. Do we have a sense of where they are? Do you have any idea? I mean, I know we've had some references in recent resolutions to seeing how close we are to some recommendations from that live music work group. Can anybody on the call speak to when they might be getting us their recommendation? You know, it seems to be important.

>> Councilmember tovo

(indiscernible), the music --

[overlapping speakers].

>> Tovo: Yeah.

>> As a matter of fact, the music commission will be taking up a recommendation tomorrow to forward to council. So there will be a

[1:47:02 PM]

(indiscernible) Process.

>> Mayor Adler: Colleagues, let's go then to --

>> Tovo: You know, as I mentioned, there are some things that I would like to talk about how we -- what the next steps are in terms of potentially swapping out funding or considering other kinds of funding. It's clear to me that certain recommendations are going to continue to be studied and come back, like the economic incentive (indiscernible). I mentioned that I would like a perspective encroachment alley, in concert with the resolution that we pass, so I guess I'll bring that back on my own. I would ask the staff to think about how we could embed that within the council decisions on Thursday, because it may be very important to some of us to embed some of that direction into the decisions that we make Thursday. I mentioned (indiscernible). I would move forward with that

[1:48:03 PM]

only if I have a pretty clear understanding that we're going to swap out the funding in subsequent meetings. So if you have any advice at this point, or if I could ask you to help us figure out what kind of language, and which places might help us effect those changes going forward, that would be helpful. Just as a reminder, I would really like to get some information through the q&a about the right-of-way fees, and the program -- potential program, if we do not pass the transportation (indiscernible), that would be assessed for all of our utilities

(indiscernible). So thanks for this work. And I guess I know a few of my colleagues chimed in on the points I was raising. I continue to be interested. You know, our work sessions are a great time for dialogue, since we can't talk outside of this group, and so to the extent any of you have comments, I mean, it's hard for me to know whether we're in sync on this, or

[1:49:04 PM]

whether you disagree, if we don't have conversations. So either here now, or on the message board, I sure would welcome your feedback.

>> Mayor Adler: Okay. All right. Let's go then to the next item. Item number 12 I pulled because I wanted to give staff the opportunity to address the better business bureau. My office, I'm sure your office, are getting some constituent questions about that. So my high level of question for staff is explain why the choice of the better business bureau, and why in light of the questions coming from the community, you continue to believe that's the right way to go.

>> Thank you, mayor. Hope (indiscernible) With the economic development department. Item number 12 will actually ratify a contract with the better business bureau for the expenditure of the grant funds.

[1:50:05 PM]

This item is similar to one you approved on June 2nd, which approved ratification of the administrative funds. So how did we get here. Upon the approval of the anchor and clear resolution, staff worked on guidelines, as well as seeking an administrative to administer the program on our behalf. The staff actually developed the guidelines for all three programs, the anchor, as well as the creator worker relief fund. These guide lines were presented not only to the economic recovery subpanel, but also to other members of council. And as a reminder, you're helping us meet those guidelines. So again, staff developed the guidelines and sought a third-party administrator to

[1:51:08 PM]

administer. And we understood that council wanted these administered quick because of the need. Staff sought out organizations within the community, that they thought administered based on what developed. We invited 11 organizations to interview, and actually seven interviewed in our procurement process. So what did we look for. We looked for key administrative qualities. How was your outreach. Did you do program management and communication. Did you handle the volume of intake, because we knew that the need was great. Did you have case management experience. How quickly could you disperse the funds, and how quickly could you get us data that we could have a robust dashboard as we have on our atx.com. We interviewed seven organizations with seven

[1:52:08 PM]

open-ended questions. And as backup to the q&a, I provided a copy of those questions. We, again, wanted someone who could help us deploy these funds quick. And based on attributes of the better business bureau, we thought that they could definitely help with marketing. They had significant staff resources, and they had experience in application process. Their administrative fee was actually lower than the ones we actually interviewed as part of the backup. You'll see that the administrative fee was 5% for the small business program, 5% for the nonprofit, for an average of 4.9%. That is definitely lower than your typical 10%. Those are the reasons why we went with the better business bureau.

[1:53:08 PM]

The better business bureau is actually based in Austin. They have approximately 70 members on staff. 61% made up of women. 44% of non-white. And again, they demonstrated that they had experience, that they could deploy quickly, that they could provide us the data on the backup, that we needed to ensure transparency on our dashboards. As you can see, it's aggregated by district. Age of the director, et cetera. And so because of these reasons that we selected the better business bureau. Again, this item is a ratification. The funds have been deployed. We have also included as part of the backup a detailed list of organizations that have received the funds. And you will receive an additional correspondence this

[1:54:09 PM]

afternoon on additional recipients. And that is a very high level. Again, we have provided a very comprehensive report on guidelines. The scoring matrix, et cetera. And the history and experience of the better business bureau. And I'm available for any questions.

>> Mayor Adler: Thank you. Does anybody have any questions about the better business bureau? This item? All right. Yes, councilmember pool?

>> Pool: I really appreciate director bringing all that information together. We had conversations about the better business bureau and how the community, the lack of depth of understanding in the community about how it was selected. I do submit a q&a last week, I

[1:55:09 PM]

think we're getting

(indiscernible) Information, in response to my question. I did want to get a full report on the process and criteria for deciding the awards that the committee went through. And then the amounts and dates distributed for each recipient for each fund. And the total was allocated for each fund. The total administrative cost charged to the city. And a summary of the community input from stakeholders who were dissatisfied with the administration of funds. And then I appreciated the description and the history behind ratification. Really it was in the last couple of months and I do understand my conversations with staff -- that council hasn't been called on to do much ratification. It's been something unique in the number, and the frequency. Along with other things, right?

[1:56:09 PM]

>> Exactly. Councilmember pool, we have included the detailed listing of each program accepted creator worker that we'll get to council this afternoon.

>> Pool: And then I'll just end by saying that I still have a hope that one of our organizations that are deeply embedded with, for example, the music community, the music industry can position itself to be ready to do this kind of distribution in the future. One of the shortcomings that we were presented with back in June, there wasn't really anybody in the industry with the familiarity and the granular knowledge that I think would have been helpful. And targeting how much money to whirecipient. I hope we have awareness in the community about resilience where there's some opportunities, that

[1:57:10 PM]

we will have more robust response in the future, and have more local independent groups to choose from for this kind of activity. Thanks.

>> Thanks. Yes, we have received comments, and we will be taking all of that into consideration, if council approves this next allotment of funds. We will go through another procurement process.

>> You're on mute there.

>> Mayor Adler: I join in bringing in local groups where we can, and local expertise where we can. As you approach this money in saves saves, I'm not sure there is a local contribution of funds. I'm not sure it's cutting up the sum and sending it out and not seeing if we're forming up kind of like a case management team to do the individual assessments

[1:58:12 PM]

on the smaller number of retail. I mean, locations. Because they're all going to be in a different place, and the remedy and support, to work out longer term leases may be different. And probably begin initially just with getting that kind of expertise group together. But if there is a case management team working with a tenant or with a property owner to figure out how to preserve it, I hope in that team we bring in local music, stakeholder people and knowledgeable people to be a part of that group that's working together in each of those cases to figure out how best to leverage the city dollars so that they go as far as possible. Okay? Councilmember kitchen? You're muted.

>> Kitchen: I know you mentioned it earlier, but I just want to make sure I understand.

[1:59:13 PM]

So, the processes that, assuming we move forward on Thursday, the process that will be put in place is, when will we be able to see what that process is? And what are you thinking exactly right now? And to

be a little bit more specific, am I correct in remembering that we used a lottery process before, that the bbb used a lottery process? Is that right?

>> For half of the funds, that's correct. Again, these are -- if council is in agreement, we will, again, use the subpanel to get feedback from council on guidelines and processes and procedures.

>> Kitchen: I'm sorry, could you help me understand that? Use the panel to -- help me understand that.

>> There's an economic recovery council panel --

>> Kitchen: Oh, yes, yes. Okay. All right. I'm sorry. I just wanted to understand

[2:00:15 PM]

that. So, okay. And then I appreciate the questions that councilmember pool has asked. I'll be interested in that also. I'm wanting to understand what the level of pay was for the bbb at this point. And I think that that's part of what councilmember pool was asking for. I'm also wanting to understand, and I can ask this offline, I do have folks that applied, at least one venue that applied, and just doesn't understand, because they've gotten no feedback of how it is that they were not considered, because they -- you know, it would appear to be one of the oldest venues that we have in the city. So it's fully hard to understand why they didn't receive any dollars at all. And so I'll circle back around -- I haven't had a chance to do that, so I'll circle back around to you afterwards. I think some transparency with these venues is important.

[2:01:16 PM]

So they can understand what the process was.

>> Sounds good.

>> Mayor Adler: Okay. Kathy, I think you pulled some additional items?

>> Tovo: Yeah, just quickly, I wanted to highlight a couple of things. One is just -- I haven't had an opportunity [lapse in audio] Related to the economic development corporation. Just a heads-up that that will likely be something that we're submitting questions about, or having a conversation around. I don't think anybody pulled it today, is that correct? 55?

>> Mayor Adler: It was not pulled, correct.

>> Tovo: Okay.

(Indiscernible) Is our item to increase the funding by 369,728 for the car giver meals. I know we have conversations about this really important

(indiscernible) Today.

[2:02:18 PM]

The (indiscernible) Foundation -- I thought the superintendent would be available online for snapshots and talk about the caregivers that have been able to serve through that. I really appreciate the staff for identifying this additional funding. This is -- falls short of the funding that would actually allow for the caregiver meals to be delivered through the end of the year. I think there may be a little confusion, I know some people reading it may have thought this went to the end of the year, but my understanding is this is far less than the amount they would use. I want to be sure that our staff, if they had the opportunity -- I'm not sure if they're on the call because I didn't pull it formally, but I wanted to point out to my colleagues, it extends the current term. But it's my understanding we would need about another 1.5 million to actually provide those meals and fund those meals through the end of this fiscal year. I mean, I'm sorry, the end of this calendar year. Manager, I hope that -- I talked to you about this once or twice a week, so I would just urge you

[2:03:19 PM]

to continue to help us identify that additional funding. I think it's very important for the economic development program, as well (indiscernible) Basic need. I'm going to continue to look at options. We've asked our staff to look at options about whether some shifts can be made to fund certain things differently, so that we have (indiscernible) I hope that my colleagues will join me in where we can figure out where to get that additional money. I think it's valuable and I would encourage that in today's presentation because it really shows all the money issues that

(indiscernible) Trying to address for the families

(indiscernible).

>> Mayor Adler: Okay.

>> Tovo: I don't know if anybody had any thoughts on that at the moment. And then the last thing I wanted to mention is 52 -- I'm sorry, 28. We did check, and this is one of the contracts to provide

[2:04:24 PM]

services in sanitation for some of the encampments. We did confirm that the language in the contract, with the contractor does include that really important provision that the city is going to coordinate with service agencies to provide case management services to those who are experiencing homelessness, a minimum of 72 hours prior to the commencement of each project. As the contracts come forward, we sometimes have questions about that, and that is an explicit part of that contract.

>> Mayor Adler: Thank you for checking on that. Anything else before we go to executive session?
Councilmember at.

>> Alter: I just wanted to submit a question that I'm going to shall looking at about how much it would affect before we want to proceed.

>> Councilmember, did you put that in the q&a? Would you mind just giving us a highlight of what the question

[2:05:26 PM]

is?

>> Alter: It's along the lines of your question that it's not really funding it through the period of December. I'm trying to understand what we would need to do that.

>> Mayor Adler: Okay.

>> Tovo: I can share with you some of the information I have from the Austin fund. But the staff has made some shifts to it. That actual figure would be really helpful. So thanks.

>> Mayor Adler: Okay. Councilmember kitchen, do you want to close us out?

>> Kitchen: I do have some questions related to the E.D.O. That I would like to raise. I think we have the same staff. If that's all right. Or I can just flag them --

>> Mayor Adler: Go ahead and raise your questions.

>> Kitchen: Okay. My questions relate to how it will be -- how it's being started, because I'm not -- I've read through the bylaws, and the articles of incorporation, and I'm just not clear.

[2:06:26 PM]

I'm not clear on the initial board. The language is clear in the bylaws about the composition of the board going forward. So I don't have a question there. But I do have a question about the timing for creation of this initial board, and I also have a question about who the interim board is. There's language in the bylaws that say the city council may appoint an interim board to serve until the board is appointed. But there's nothing in there about who could be on the interim board, or what the timing is for the city council to appoint the interim board. So I just wanted to understand what the thinking was there. And the articles of incorporation that are -- in the backup don't have any names on them for who the incorporators are. Can you just help us understand what the thinking is there on the -- so I'm assuming that we're not appointing an interim

[2:07:28 PM]

board on Thursday because we don't have any names. So I'm assuming that there's a time period after that, and then I'm understanding that there is -- that for the first four, there's a list of who those will be. And I'm trying to understand the timeline. Does that make sense?

>> It does, councilmember. The staff tried to cover that in the memo that was sent out, but I'll ask assistant city manager Gonzales to cover that point.

>> Thank you, city manager. And councilmember, as the city manager had pointed out, our memo which just came out Saturday, so I understand the inability to find the information, it's on page 5, the top of page 5 on that memo that came out on Saturday, with regard to the interim board. And it's staff's recommendation that council fill the interim seat with the city staff listed in places 1 through 4.

[2:08:30 PM]

That's outlined in the bylaws, in article 2, section 1. That is our recommendation is to get the board started initially through the city staff positions, which are outlined in the bylaws.

>> Kitchen: So what is the timing for filling out the board?

>> So, the timing for filling out the remaining part of the board would be somewhere over the course of one to two months. We would have the nominating process for mayor and council to consider.

>> Kitchen: So the nominating process for council and mayor to consider, there's something written into the bylaws about the process. Are you talking about something more detailed than what's in the bylaws right now, in terms of the nominating process?

>> I think what we're talking about is with regard to the entities that would actually nominate them to council.

>> Kitchen: Okay.

[2:09:33 PM]

>> Veronica, to assist in that regard.

>> Kitchen: I think I understand what you're saying. What's in the bylaws right now describes the type of entity that would be the nominating, but it doesn't name the entity. What you're saying is that would be brought back to council, to then approve, right? And then that would go through the process. Is that the thinking?

>> Yes.

>> Kitchen: Okay. There are two entities for place 5 and place 6. The city of Austin arts commission and the city of Austin music commission. So I will think about this, but I might want to make the suggestion that they go ahead and start their process, since they've been named. So that would be one thing I might want to suggest. And then the other question I have is, I'm not seeing anything about the -- and I may have -- I apologize, I may have missed it -- but that is the -- the cultural trust advisory committee, if I've got the name

[2:10:34 PM]

right, which is not the board, but it's an advisory committee. So what is the thinking about the creation of that entity? You can just point me -- if you've got it in the memo and I missed it, I'm happy to go read it. I just want to understand what the timeline is for that.

>> Absolutely. And I think I'll have to defer to the economic recovery officer with regard to the trust advisory committee, and their thinking in that regard.

>> And my apologies, I'll have to defer to David Culligan on the call. I don't recall if we actually included that in what you had for consideration on Thursday. David was the cultural advisory committee -- was it included in that language?

>> Good afternoon, David Culligan with economic development. We removed language around specific committees. What we did, within the bylaws,

[2:11:34 PM]

we were able to create committees as needed. There is a priority basis [lapse in audio] Creation of this entity that we're going to continue looking at the balance of those committees that would be included, and the reasons for them. So a cultural trust would be propped up, as one of those committees. And likely others to come as well.

>> Kitchen: Thank you. I may have an amendment in that regard. Because we've talked about moving so quickly with regard to the cultural trust. I think we -- I feel pretty clear that we're going to need a cultural trust committee. So I don't want to remove it from the bylaws at this point. My last question is then about the staffing for the entity. Are we approving that on Thursday, too?

>> So, on Thursday, the

[2:12:37 PM]

staffing, of course, is listed in the bylaws as far as the president is concerned. I believe chief operating officer. It's our intent, though, to staff it on an interim basis with city staff. And our chief economic recovery officer Veronica would be the interim president for the corporation. In terms of full-time permanent positions for the entity, what we'd prefer is for the entire board to be seated, we would then of course make the higher up the president.

>> Kitchen: Have you considered interim staff? Because I'm sure that director pre senior would need some assistance. I wanted to suggest that given all that our EdD staff has on their plate, what we just added to their plate today, that we not try to staff edo with staff from our EdD department, or from any staff internally? I would like to suggest that we

[2:13:39 PM]

consider working with the consultant who has helped us up to this point with staffing, and/or other firms that have the experience to start up entities like this? Is that something that you all have had any conversation or consideration of?

>> I do appreciate your concern for the staff. I share that concern with the amount of work that has been directed their way. And I will say that we are open to all items like that. Of course, you know, the most recent resolution is a new resolution, that is contributing to the work load that we didn't anticipate. So we are open to all things like that. I can tell I can tell you I'm having daily conversations with the staff about the work in front ever them and what the best approach is if you will. So if we're closing the doors to anything, rather we are constantly looking at how best to approach the

[2:14:39 PM]

workload.

>> Kitchen: I appreciate that. I want -- I'd like to understand what that is as we approve this going forward. And I think it's really important because, you know, it's been something we've talked about and the importance of the flexibility and nimbleness of this organization or this entity to move very quickly. And I just don't see how that can possibly happen if we -- if we have EdD staff to do that job -- it's start-ups. There's a lot of work with start-ups. So having our EdD staff do the start-up and work they're doing now I don't see that working. And in order to be successful and to give our edo the best possible chance to be successful and to be successful quickly, I really think that we need to having staffing for it that is dedicated to it and can come from people who have

[2:15:39 PM]

experience starting up in edo. I would just ask you to consider that between now and thurst Thursday as part of approving getting this going. I think it's necessary that we approve how it is started. So that's one of the things that I'm looking for. Thank you.

>> Mayor Adler: Okay. Councilmember Flannigan.

>> Flannigan: A couple of things on the edo documents that were -- in the articles of incorporation it mentions that amendments to the articles adopted by the board are approved by the city. This is in article 7 part I and part II it says that the governing body can approve amendments to the article. So does that mean that the city manager can ratify article amendments adopted by the board without the consent of the council, that it means? For those following along, I

[2:16:40 PM]

think my page numbers are those written into the document, not the page of the PDF, which is a little confusing.

>> Councilmember, if you don't mind because it is a legal document and we received outside counsel sell support to draft it, can we take your question and provide a response before Thursday?

>> Flannigan: Yeah. I have a couple more that I think would be sufficiently responded to in that way. More for the council to consider about the board members are limited to two three-year terms whether or not you want to have a board rolling over that frequently. I would have expected folks to stay on that board longer than you want a longer period of understanding and benefiting the work of the corporation? Page 4 of the bylaws is something I've seen in other non-profits where you law a majority of a quorum to make

[2:17:41 PM]

an act of the corporation as opposed to a majority of all board members. So I think it would be important for that to be changed ordinary you could end up with 25% of the board members thinking X for the corporation as a whole. It should just be an affirmative vote of 51% of all directors. I would be willing to allow proxy votes similar to the way campo does proxy votes. And for the bylaws, I didn't see this anywhere in the bylaws, but throughout the bylaws we see the phrase he or she and a portion at the end that refers to gender. I think it might be better to rephrase all of those to just be gender neutral they, so we don't get into that type of binary.

>> Thank you, councilmember. And some of those questions are operational in nature and we will utilize our consultant in establishing best practices and in developing recommendations to us.

>> Mayor Adler: Councilmember Casar.

[2:18:42 PM]

>> Casar: Question in a similar vein. I think -- I don't have the page number in front of me P the bylaws are established by council, then can be modified without coming back to council? If I remember some of the corporations that we've formed like we set the bylaws and if we set the bylaws we have to ratify that. It would be useful to know whether that is something that was intentionally different than our other boards or whether that's just -- whether or not it's intentional or not. Do you have any insight into that?

>> Yes, councilmember. It's more intentional as we had indicated in the report and the recommendations which again we utilized a consultant to look at best practices across the country, most definitely there's a healthy degree of autonomy from the corporations from the city. And so we followed the best practices so that way going

[2:19:42 PM]

to the point that was given earlier, we can have equal if not greater success for the corporation as what we've seen other cities experience when they create economic development corporations. And what we found of course is the autonomy and flexibility is key to the success of those corporations. So what we propose here is best practice recommendation.

>> Casar: Got it. I'll have to think about it between here and Thursday. I'm not sure on us making the bylaws if anybody on there can change them. But maybe between here and there you can explain to me where it would make sense like us setting the number of seats if frankly it could just change. So maybe there's certain key things that we have a say over and some -- and some operational things that it would behoove the

[2:20:43 PM]

corporation to have autonomy or maybe we have the power to veto a change, but they don't have to come and check with us. I don't know what the problem is you're trying to solve, so maybe there's a way to more narrowly tailor the issue. If the problem is posting it on the council agenda and that takes forever, maybe we don't need to preapprove, but ratify it later. So if we need to have someone reach out and make it so that bylaw changes don't have any

[indiscernible] To them.

>> Flannigan:

>> Flannigan: I have a comment on that specifically.

>> Tovo: I do too.

>> Mayor Adler: So member kitchen and then councilmember Flannigan.

>> Kitchen: I just wanted to second what councilmember Casar had said and I think councilmember Flannigan raised the question in the first place. I would agree with what councilmember Casar said

[2:21:44 PM]

about the [inaudible].

>> Casar: If councilmember Flannigan had mentioned I apologize for not crediting you. I had to step out of for a second.

>> There are two things at play. The articles of incorporation on page three of the articles makes it seem like the articles can be amended with approval of the city, which would seem to be the city manager and not the council. The council is referred to as the governing body as the way I'm reading the body, but the bylaws in the articles, page 4, article 9, changes to the bylaws must be approved by the governing body. So I think that part is solved in the articles. Bylaw changes have to come back for ratification. If I'm understanding the governing body equals council.

>> Got it. That's what we'll check on.

>> Mayor Adler: I think those are all the -- councilmember tovo?

>> Tovo: Sorry, I had my hand up to speak about that. I appreciate my colleagues for raising that issue, but I think it's very important that the bylaws, any bylaw

[2:22:45 PM]

changes that come to council, so I hope that if that -- if it is not as -- it may be as councilmember Flannigan said that it's not -- that that is what is contemplated in the language of the governing body. If it is not what is contemplated, while I appreciate that we're trying to create this to be more autonomous and flexible, that we have accomplished that with the other local government collaborations, such as the sobering center, even though there's a formal member of the council and the county on that board. I think we need to walk a balance. It is still a public entity rather than a private one.

[Indiscernible] On multiple points to the elected of this body. Thanks for getting back to us on that. If it is the latter and they do have the ability to change the bylaws, it would be very helpful to really

[2:23:45 PM]

understand with great specificity what have been challenges, what are examples of challenges that other municipalities have faced with regard to that issue.

>> Mayor Adler: Okay, thank you. Councilmember Ellis.

>> Ellis: Thank you. And I'm in agreement with a lot of the thoughts of my colleagues. I did note that in article 2, section 9 of the bylaws, it said there would be no compensation and I know this was something that we have daylighted earlier in this discussion because we wanted to make sure that if there were someone who was perfectly capable and maybe an ideal candidate to serve in one of these positions, but couldn't do it with no compensation that we were taking that into account. So maybe that's a question I can ask in session ask if there's some legal reason that we can't do it, but I am curious about making sure that this opportunity is available to as many people as possible.

>> Mayor Adler: Okay.

[2:24:46 PM]

Councilmember tovo.

>> Tovo: I guess I would just suggest that we really think about the implications of that across all of our local government corporations and our other boards and commissions, which all are uncompensated as far as I'm aware. So that would -- that would be a more [indiscernible] conversation.

>> Mayor Adler: Thank you.

>> I will say that's probably a good public conversation. The compensation issue is not a legal issue.

>> Mayor Adler: Councilmember pool.

>> Pool: I agree with what Kathie is saying about compensating citizens. And why would we stop at a corporation and not give stipends to commission members. So I think it would be a very rare, if not nonexistent situation where I would approve -- where I

[2:25:47 PM]

could vote for compensation.

>> Mayor Adler: All right, colleagues. I think those are all the pulled items. Now we're going to go into executive session --

>> Flannigan: Mayor? While we're still on public session I wanted to reiterate my appreciation for staff. There was a lot of work that happened over the past 10 days to get ready for this work session and I want to extend the spirit of collaboration and really people putting their shoulder to the wheel to make sure that we were able to have this robust conversation today. My heartfelt appreciation for all staff.

>> Mayor Adler: Okay. All right. That said, city council will now go into closed session to take up one item. Pursuant to the government code we're going to discuss legal matters related to item e2, which is funding economic recovery efforts. E1 has been withdrawn. Seeing no objection, we're going to go into executive session now.

[2:26:48 PM]

It is 2:26. At the end of executive session it's my intention to come out alone just to close out this meeting. It's 2:26. Colleagues, let's take a five-minute quick break and about five minutes from now I'll see you over in the executive session call.

[In Executive Session]

[4:02:05 PM]

<Mayor Adler: We are out of closed session. In closed session we discussed legal matters related to Item E2. Today is September 29th, 2020. It's 4:02 p.m. and this meeting of the Council Work Session is adjourned.