

## Public Safety Committee Meeting Transcript – 11/30/2015

Title: ATXN 24/7 Recording

Channel: 6 - ATXN

Recorded On: 11/30/2015 6:00:00 AM

Original Air Date: 11/30/2015

Transcript Generated by SnapStream

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[4:09:30 PM]

>> Hello everyone, my name is Don Zimmerman thank you for coming. I'm joining by Greg Casar and councilmember Ora Houston is here. Councilmember Leslie pool will not be able to join us today. We have three members present. First thing I want to do is point out quickly Joe Patronas in the back. If anybody would like to be recognized to speak, see Joe and fill out a small form and we'll get you signed up to speak on the agenda items or anything not on the items. The first order of business is the meeting minutes. Councilmember Casar, here's another copy here. The minutes are pretty straightforward. We didn't have any actions. So is there an action to accept the minutes. Councilmember Casar moves we move the minutes, is there a second. It is unanimous on the dais. That will bring us to -- we have an item that we have to do a brief executive session on. Let me get it in front of me here. Item 2, discuss personnel matters related to the appointment of the municipal court substitute judges and associate judges. So the committee is going to go into closed session to take up that item, pursuant to section 551.074 of the government code. The committee will discuss that item, discuss personnel matters related to the appointment of municipal court substitute judges and associate judges. Any objection to this brief session. Hearing none, we'll be back in executive session in the back. Hopefully we'll be back in 10 or 15 minutes. [Executive session]

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>> Zimmerman: Thank you for your patience. We were in closed session covering item 4. We'll take up item 4, before we take item 3. I believe we are going to have a meeting December 11, our intention was to come to an agreement before the December 17 meeting so we could recommend some judges. That is where we are on that. Quickly, let me bring up item 3. Review and approve the 2016 public safety calendar. At this point, 10 meetings are proposed that follow along the same line of this year. I will read those into the record. If I can find them. We have proposed January 25, February 22, March 28, April 25, May 23, June 27, no meeting in July. August 22, September 26, October 24, November 28, and no meeting in December. So that is our proposed. Is there any discussion on that? . >> Houston: Chair, there has been some conversation about not meeting every month, but saving that space so if we needed to have a called meeting, we could, and meeting every other month, trying to space out some of the work, I don't know about your staff, but mine is kind of overloaded, sometimes with the number of meetings we had. I was wondering if we could consider doing something like that. >> Zimmerman: That would be fine. Any thoughts on that councilmember Casar. >> Casar: I would be open and trying to do

the same on some of my committees.

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If we need to meet, we will call a meeting. Those would be meetings, that if we need to meet, we can consolidate agendas. All right. Figure out what time we got here. >> Houston: For the record we meet January, March, may? Or how would we do? Because we're off in July? >> Zimmerman: I didn't understand the question. >> Houston: If we do every other month, it would be January, March, may, nothing in July, September 26, and November 28? >> Zimmerman: Well. Ok. I thought we would leave these as placeholders, they would still be placeholders, but qui -- we would know that every other month we would not be here. If we needed a meeting those would be placeholders, you would have a special called meeting and we have those on the calendar. >> Zimmerman: January every other month. >> Casar: Odd-numbered months. >> Zimmerman: The odd-numbers months you would plan to be here, and the others, possibly. >> Casar: Yes. >> Zimmerman: That brings us to -- I have sign-ins here. Normally we try to keep on a time schedule of time-certain events. >> Casar: In my other committee meetings we voted to approve it. I don't know if that is a legal requirement. >> Zimmerman: Is there a motion. >> Casar: I will move to do it as described by the councilmember. >> Zimmerman: Three in favor with councilmember pool off the dais. That should bring us to item

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5. That was time certain of 4:30. It is about 4:45. This is staff briefing, invited testimony and policy discussion on billboards and public safety. I believe we have a draft of ordinance revisions that we expect will probably come back to us in January, probably for a formal hearing on it before we vote to move it to full council, but assistant manager -- thank you for being here. >> Thank you chair, committee members, for the staff presentation on this topic I would like to introduce Chris Johnson from development services department to provide the context and what the current regulations are around the digital billboards, as well as a safety perspective, chief Natalie is here to answer questions after the presentation. >> Zimmerman: Brian manly? >> At this time, I would like to introduce Chris Johnson. >> My name is Christopher Johnson [indiscernible] I have a brief powerpoint presentation that outlines the [indiscernible] As they affect billboards. >> Zimmerman: Is it not working? Can we get technical help?

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>> [Microphone not working] Offpremise signs have been prohibited since October 27, 1983. Any offpremise sign that was legally obtained before that date may be obtained as an existing location and will be legally nonconforming or grandfathered. A legally nonconforming sign can be altered if it doesn't change the method or technology to change the method and does not increase the elimination of the sign. The last two items is what would preclude an electronic billboard today. Permitted modifications is have focusing on-site, if there is threat of condemnation or you can modify or replace it on-site if you reduce the height or the sign area by 20% or combination of the two. And the opportunity to relocate if it is established by code. You can rebuild a code that is damaged by accident natural disaster or damaged by anyone other than landowner or sign owner if the cost to restore the sign does not exceed 60% of the cost to install the new sign. That is the summary of the regulations as they stand today, if you have any questions? >> Zimmerman: Any questions? Apparently not. What are the drafts contemplated for the item coming up? Are you aware of those. >> I have not seen any. >> Zimmerman: Ok. Thank you.

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Is Mr. Ray Allen here or Mr. Gerard Kenny, could you please come forward? Tell us who you are, you have about three minutes here. >> Thank you, I'm Gerard Kenny, I'm a lifelong austinite and president of scenic Austin and on the executive board of scenic Texas. We have worked long and hard to actually eliminate billboards in Austin. So we're not doing very well with that. Our electronic billboards are particularly objectionable, so we would -- we would -- we want to look closely at what's being proposed. Since we haven't seen it yet, we have just seen the summary that was available publicly. So we just -- we do want to be involved in a full and robust discussion about the topic as you go forward. Thank you. >> Zimmerman: Ok. Thank you. Appreciate that. As I said, if the committee votes to move this ahead, that would definitely happen whenever those draft ordinances are fully baked, we'll have that in place. I think the place to do that, we could have unlimited testimony before public safety committee, and I think that is the best place to do that, probably January. That should be plenty of time, right? >> Thank you, sir. >> Zimmerman: Thank you. Is Mr. Ray Allen here? >> [Indiscernible]. >> Zimmerman: Go ahead. >> I'm here on behalf of sign-on Austin. This is the purpose to update the city sign code to allow the use of off-premise digital

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advertising. Our organization includes the Austin police association, Austin independent business alliance. Austin chamber. The Davis group, a large advertising media buyer in the city of Austin. One of the things we wanted to do to bring to the committee's attention is what we're talking about and what we're not talking about. We have a brief video so you can actually see what we're talking about when we say "Digital media" because it leads to a pref -- confusion. If we could play that. It is a brief video. >> Zimmerman: Ok. I'm sorry. Could you pause for a second. >> Houston: Are we going to give him extra time for his five-minute video? >> Zimmerman: Is there a way to shorten that? >> It is about five minutes. >> Zimmerman: Is that ok with the committee to run through the video or shorten it up? >> Casar: That's fine. >> Zimmerman: Let's run through that quickly. [Video playing inaudibly]

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Increase in that. Despite its benefits the city of Austin has not had this technology for refusing to have it for on-site premise sites such as billboards. On the other hand, the city allows other properties to have other digital signs on their properties, known as onpremise signage. These are largely unregulated. Unlike digital they are bright and animated. We recommend the city update its code to allow for onpremise signs but it require life sensors on digital signs both on and off premise. This will give Austin access to the latest technology while preserving safety, scenery and quality of life. Doing nothing has consequences. Low quality on premise digital signs are spreading fast. Should the city choose not to take action, their Numbers will grow with none of the benefits of smart digital. This is a valuable opportunity. Sign-on Austin wants to work with the city to ensure digital outdoor advertising that benefits the entire community. We urge the Austin city council to give this proposal careful consideration. >> That allows the city to see what we're talking about in terms of technology. I know Mr. Romero is here to speak about the safety issue. The one thing touched on by staff is currently the city segregation onpremise and off premise signs and many of the signs in the city of Austin, and they are growing everyday, are unregulated, on premise signs. They have full motion, they flash, they're bright. You can see them on Ben white boulevard or the evening if you drive at night. They're throughout the city and they're growing on the motor mile, for example, on south I-35. You see them more and more everyday because the city

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essentially unregulates on premise sign owners. State law allows off premise signs with certain restriction it is, no flashing, no movement, certain number of rotations every hour and that's what we're proposing is that the city as most every other major city in the state of Texas approve a process that regulates this in a meaningful way and allows it to be done in a way that the smart digital signs can be interfaced and used in times of safety emergency, active shooter, ongoing criminal investigation, weather emergency, things of that type. So we would ask the council -- ask the committee at this time to approve an update to the city code and allow the council to go ahead and vote to stop the disparate treatment between on premise and off-premise and allow the off premise signs as every other city in the state of Texas has, to be in a digital format. >> Zimmerman: Thank you very much. Any other questions or comments on this? >> Houston: I understand that the Texas department of transportation has regulations already. Can you describe what those regulations are? >> Essentially the regulations that txdot have approved are regulations that are based upon the federal highway transportation safety administration studies and the txdot regulations say that the signs must rotate at a pace no faster than I believe once every eight seconds. The change must be instantaneous. There could be no motion. There can be no video or rolling T it's not allowed to do like a wipe across the screen. Anything that would draw your attention to the actual change of the sign. The change is instantaneous and many times you don't see it unless you're looking at the sign at that very instant. They cannot be masked as something that would otherwise look as a safety -- in other words you can't put something up there that looks like a warning if it's not in fact a warning. Those sort of regulations have to be in place. The

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txdot regulation also does require that in the case of amber letters alerts may become endeared in the case of amber alerts. We would expand that on so the city could use that for more than amber alerts. For things like traffic backups, perhaps during festival periods or high traffic times to direct people around. Give people warning, for example, if they're moving down I-35 and now there's going to be a 45 minute delay. You may see these in San Antonio. Txdot has put down those kinds of signs on I-35 in the San Antonio area. So we would allow the signs to be used for that as well. But essentially that is the txdot regulation is no flashing, no motion, limited amount of rotations and what we're proposing would be entirely consistent with that. >> Zimmerman: Any other questions? For the committee I want to point out that this agenda item was actually posted as staff briefing, invited testimony and policy discussion. For the sign ordinance. If I could get assistant city manager argeno for a moment here. From reading this it sounds like is there -- is city staff moving forward with the ordinance edits kind of as discussed here? Is that what's happening right now? >> I think based on the conversations I had with your office you were going to have a conversation about whether or not you as a committee were going to recommend as a committee changes in the ordinance. So that's the policy conversation that needs to be had here, I believe. In order to effectively ease changes that I've looked at that are in the backup material that would require the coordination of a number of departments, including legal, development services, planning and zoning and code department. I think it's a fairly large effort in order to do what's requested here.

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So we would look for the council as a whole for direction to pursue this path. So I will have to wait until councilmember Casar is back? What you're saying is this committee would need to recommend moving forward because there's a substantial amount of work involved in making these ordinance -- drafting ordinance changes? >> For this particular topic as I understand it it is a significant amount of effort. >>

Zimmerman: Okay. We lost councilmember Casar. Apologize for that. >> Houston: Once a quorum is established we can go without. >> Zimmerman: Why don't we do that then. >> Houston: I had another question about the difference between off premise and on premise and why is it staff can -- I was asking staff if they can come up and explain between on premise and off premise when some do it. When we talked the other day we could name several local businesses, walgreen's being one and some banks that say time temperature. >> Some signs are advertising businesses on the site where the sign is located. That would include signs on the actual wall face of a building or a freestanding sign out in the parking lot or in front of the building. That's just your traditional signage. What the code says addressing electronics for on premise signs says it prohibits flashing lights, but allows electronically controlled changeable text signage. I believe the issue is because the technology has advanced faster than the code language because I think that code language reflects back to the days when those electronic control signs that show the time and temperature or just text. The code does allow that for

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on premise signage. >> Zimmerman: So councilmember Casar, assistant city manager arrestianio told us that the draft ordinances if we wanted to accomplish what's been proposed, they are substantial, so it was his opinion and I think I concur that we would need to ask the full city council to direct the city manager to move forward it those draft ordinance changes. So our committee would need to do that if we wanted to move forward. >> Casar: Right. My understanding is this is the land development code so we would have to go through the process of initiating code amendments as we have in the past. The full council initiates those and then has to go through planning commission, et cetera. >> Zimmerman: So if we wanted to move that forward we would like to say we want the full council to consider whether they wanted to move forward with this. >> Houston: I think one of the things we need to do is see what that looks like first. Then make that request. >> Zimmerman: I think we have a chicken and egg problem. We would need to move forward to see what the draft ordinance -- the draft changes look like. We would need to recommend city manager do that. Then it would come back to us and we could see what's entailed. >> Right. If I may, I've seen in the backup you have what would end up being a resolution directing the city manager to draft code that would be consistent with the resolution that has these items. And so that's what we would come back and do. So it would come back through the planning -- neighborhoods and planning committee for their consideration before it comes back to the entire council and then go through the planning commissioning

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process. >> I'm not sure if codenext is taking a look at digital billboards, but we can certainly ask that question of them. >> Houston: Would you please? Because it sounds like an onerous process that we're about to embark on. >> We certainly can. >> Houston: The concern for me is Austin is the tech city of the world and here we are saying we can't use digital signs. Sand I'm having a difficult time wondering why we would use the old technology since we have technology now that is so much superior as long as we can control the brightness and the frequency. So I'm still unclear about why it's a concern. >> We can ask the planning commission department whether codenext will be addressing digital billboards and we'll get that response to council. >> Zimmerman: So councilmember Casar, what's your understanding? If we don't move this forward it's simply not going to go anywhere if we don't have a process with the proposed changes. If we get proposed changes we can have another full hearing on the proposed changes, but I think we need to make a motion to move this forward, it sounds like, if we're inclined. >> Houston: I'm really talkative today. I think it's too much Thanksgiving. I want to be consistent in the way I vote so last council meeting we made drastic changes to the code without going through the codenext

process so that's why I want to know if this one would be something that the codenext would be taking a look at before we bring it back up -- before I

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either second a motion or vote to have the city manager begin to take a look at it. So that's why I need some time to -- I see Mr. Crawford, are you going to say something? Brent Lloyd, I'm sorry, thank you. >> Brent Lloyd, assistant city attorney. Codenext is definitely going to be looking at our sign regulations and I think as part of the draft code that they bring back there will be a substantially rewritten sign regulations. I don't know specifically how they're going to consider the issue of digital billboards, but we can certainly ask them and get that information to council. If they are going to look at that, it certainly would be an option to defer and fold it into the codenext process. If the committee wants to move this along what I would suggest is to forward it to the council add a recommendation to initiate amendments to the land development code consistent with the laundry list of items that I believe were posted in backup that I've seen. We would then as the assistant city manager stated, we would prepare a resolution to that effect. >> Zimmerman: We have a list that says proposed summary of digital sign changes and there are six specific items. >> And definitely part of preparing that for the full council to consider would be some legal review. Any time we amend the sign regulations that are a lot of traps for the unwary and a lot of issues that arise that are maybe not immediately apparent. So we would do that review, but I think we could definitely bring a resolution to council that would initiate most of those amendments and if not we'd have -- we'd be prepared to advise council if there are -- advise council if there are ones that would be

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problematic. >> Zimmerman: Okay. >> Houston: Okay. And then I just have one last question in those six that you just referenced, the third one on page 2, bottom of page 3, top of page 3, I need to know about the preferred commercial sign Zones and corridors? Where are we now and will they stay in place? Do you see that one? Preferred commercial sign Zones and corridors. >> I have a sense as to what this amendment is about, but I can't speak to it at length right now. Definitely we can advise this committee if you want to keep it at the committee level we can come back with more information on that or if you forward it to council with a recommendation to initiate we can advise you at that time. >> Houston: Okay. I don't want us to be duplicating efforts so if codenext is going to be looking at digital signage, then I would like to have us as a council committee either being supportive of them doing that as quickly as possible or whatever the vote is going to be. But I hate to see us doing double duty. >> Zimmerman: I wasn't aware. There's a lot on the plate for codenext. That's a tremendously complex -- with what they already have on their plate now without waiting for them to come back. It seems to me, counselor, tell me if I'm wrong, but if we waited we would be waiting indefinitely for -- >> I don't know the exact timeline on the deliverable, but definitely I do know that codenext, part of the scope of their rewrite is to rewrite the sign regulations. And I'm certain that in doing that they will be addressing this issue. I'm just not sure how -- what their plan is for how

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to address it, nor am I -- I should know this, but I don't know the timeline on kind of when it's anticipated that that all gets put before council. So -- >> Zimmerman: So put another way, if this committee takes no action and does nothing, couldn't they read a signal that it's not then really a priority for them to work on it if we don't act here today? >> No. They're not -- they're going to give us a

rewritten sign -- set of sign regulations. So I think they're going to do -- they're going to give us the regulations that they as planners think make the most sense for a city like this. And I think you're not initiating the amendments will affect their work. >> Zimmerman: Do we have any explanation for why this technology is being used around the state of Texas or is that fact in contention of whether other cities are already doing this technology and Austin is not? We're already buying into it. >> I can't speak to that. >> Zimmerman: Okay. I'm still waiting for a motion or we'll just move on. >> Houston: I would like to make a motion that we express as a council committee our interest in seeing sign regulation -- a rewrite of the sign regulations to include digital signage. >> Zimmerman: Sounds good. Is there a second? >> Casar: I'll second that. >> Zimmerman: All in favor? >> Houston: Do you want some discussion? I thought we had a lot of discussion. >> Casar: My question for the motion maker is this something being forwarded on to council or just the expression of our committee for now? >> Houston: This is the expression of our -- of the committee. To not only council, but to codenext. >> Casar: Sure. And I'm support that knowing that any changes to the land

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development code we would obviously have lots of discussion on them with the community and with our digital signage, the frequency and brightness, we're not discussing that now, but having the option of the digital signage with the public safety benefits would be interesting so I'm happy to vote to express my interest. >> Zimmerman: Okay. All in favor of the motion to move the digital signage issue to the council? Let's try again. Maybe I misunderstood. >> Houston: Did anybody catch what I just said? The motion was to move our support for the codenext process to include the rewrite of sign regulations and get back to council as soon as Mr. Gonzalez has some information about what time frame that's going to be. >> Zimmerman: Okay, I'm sorry, I thought you said to bring it to council and to codenext. >> What I thought I heard you say is you wanted codenext to consider it. >> Houston: Yes. >> I think that's what I heard you say so this resolution then would forward the information that you have to the planning and zoning department as they embark on their codenext discussions. I think I also heard you say that maybe as a courtesy that that would be sent to council so that way they are aware of that direction. >> Houston: That sounds great. >> Just to clarify if we're sending this to council, because it would be the council directing the work of the city manager through to the planning and zoning -- the planning and zoning department to incorporate consideration of the digital billboards in the sign changes that they're contemplating for

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codenext. >> Houston: That's a much cleaner motion. Thank you. >> Zimmerman: What motion are we voting on now? Now I'm confused. If we're voting to move something to codenext and not to move it to the full council. >> Houston: To move it to council... Going to codenext. The city manager has to move it to codenext is my understanding. >> And into the codenext process. I think -- not to speak for you, but what I'm hearing is you would like to vote to move to the council that -- to direct the city manager to consider digital billboards in the sign code changes that are contemplated under codenext. >> Houston: The lawyer is shaking his head. >> Zimmerman: Could we have the lawyer come up and help us again? Let's make sure we get it right and let's just have you read something that makes sense and I'll write it down and repeat it and then we'll vote. >> I think the assistant city manager did a good job. I think the council -- as I understand the motion it would be to forward to the council an item to direct the manager to incorporate into the codenext process consideration of allowing digital billboards, digital off-premise advertising. And what that would do would be that, you know, the -- we would communicate -- staff would communicate to the optics, the consultant working on codenext, the council's desire that there

be an allowance for digital billboards within those regulations.

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Wouldn't communicate precise details on how to do that. I think that's part of their purview, but the council's policy direct goal to allow digital billboards would be communicated to the consultant with the idea that they consider that in crafting new sign regulations as part of their larger effort. >> Zimmerman: Okay. So is this motion -- again, it's limited to directing the city manager to direct the codenext people? >> That's as I understand it. If you want the council to vote on actually initiating change to the existing code that you have an item recommending that the council initiate amendments to the land development code to provide for digital billboards and potentially the other items on your list as well. Put it into the codenext process or initiate it immediately. >> Zimmerman: Is there support for two resolutions then, one that's already been made to move it to codenext? Which I don't have any objection to. I think sending it to codenext means we may not see it for months or years. So could we do another motion to make some changes to the existing ordinances so we could see it within weeks or months? >> Houston: Probably not weeks, but maybe next year. Maybe February. January or February. But can we do one? >> Zimmerman: Let's do the one, vote on the one that's basically moving it -- recommending the codenext process. >> Casar: So what I seconded was I think a little bit different than what it is that was just described by Mr. Lloyd. I would be comfortable seconding the motion as described by Mr. Lloyd, but

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not prescribing that it's our policy goal that we have digital billboards no matter what in codenext, but if we're going to send it to professional consultants I would want them to weigh in without there being a necessary end goal. Just saying we want you to consider when considering signs the possibility of digital billboards, but I don't want to tell them what the end goal should be if we're asking our consultants to help with something they might -- so essentially I'm willing to second it, but not necessarily include that our policy directive is codenext needs to include digital no matter what. >> Houston: I think it was to look at digital billboards. >> Casar: That's right. I think that was the motion -- that's the motion you originally made, but what was described by Mr. Lloyd was a little different. >> Zimmerman: He was trying to show us there was two things to talk about, one, codenext and one that council might do directly to existing code. Let's do the codenext one first. >> Casar: What I'm clarifying is the first motion. I'm going to support it and it's the motion that was made by councilmember Houston. What Mr. Lloyd described was a little bit different in that it recommended digital billboards as an outcome no matter what. >> Zimmerman: So we're just asking them to look at it. >> Casar: Yeah, that they would consider it. >> Houston: Consider it while considering other code changes. >> Zimmerman: All in favor? It's three in favor. And councilmember pool is off the dais. So I would appreciate another chance to debate our other amendment, which would be asking the city council to -- a motion for -- an agenda item for city council to consider changes to current code. This would be to ask them to consider changes to current code to allow the digital technology. As has been explained. >> Houston: I'll second that. >> Zimmerman: Any other discussion on that? >> Casar: Chair, I'll support the consideration to just understanding that it

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doesn't guarantee that -- I think what I want to double-check is what we're sending. Here what's in backup I think is a little prescriptive in that it kind of lays out what the ordinance changes would be. I would just be more open to saying yeah, we want to initiate code amendments related to digital



billboards, but not saying exactly how many images a minute or how many signs have to be taken down when there's replacements, things like that. Just we want it to be a little bit more -- >> Zimmerman: And these are proposed. So full council could say don't want to do it or they propose something different. Or the full council could say we want to wait for codenext, we don't think it's a pressing item. So the full council could decide anything they want. >> Houston: But the other thing is we will have to have a lot of public comment before we get to making a final decision. We have to build that in, make sure people in that. You keep talking about the council makes those decisions, but we don't make that without input from the community. >> Zimmerman: So my understanding is if we vote to move this to the full council, they would debate it. If they like it what would come out of that decision would be some draft ordinance changes and then that's when you have the public hearing to say here's what we've come up with. Then we would bring it back and have a hearing on the ordinance changes themselves because we're not going to have ordinance changes when our -- when this resolution -- when this agenda item goes to council. It will just be a summary of proposed changes for digital signage. There won't be any ordinance changes. We'll still have to get those because what we've heard is there will be some substantial work to get to the ordinances that we would then have a public hearing on. Does that make sense? >> Houston: That makes

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sense, but one of the things that I thought with our new structure we were trying to do was be able to get the public input prior to crafting an ordinance. Mr. Kinney is here tonight. He would like to start at the ground floor with that kind of conversation so when an ordinance comes forward there's buy-in from all the parties. I'm not sure how to direct that to happen with the full city council. If things have to be through the planning commission surely there's an opportunity to have input before crafting an ordinance. Fix the committee forwards an item to initiate amendments to the city code for digital billboards, they resolution that initiates code amendments that would then start the process. And as part of that we could include a provision that requires stakeholder meetings to occur before the formal planning commission hearing process starts. This doesn't happen with all land development code amendments, but sometimes there's a sense that just the hearing before planning commission and before council is not sufficient and in those cases either at the direction of council or on the manager's own initiative there are separate stakeholder meetings that are held. So we could include a clause to that effect in the resolution initiating

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amendments. >> Houston: What's your preference. >> Zimmerman: I would like to move it to the full council -- >> Casar: It's councilmember Houston's motion, right? >> Houston: I didn't make a motion. >> Zimmerman: Am I allowed to make motions? >> Casar: You can pass me the gavel and then you can make the motion for you want. So chair, go ahead and make your motion. >> Zimmerman: So I move that we forward to council an agenda item regarding the digital -- potential digital billboard code ordinance amendments without recommendation, just forward the issue to them. All in favor? All in favor with councilmember pool off the dais. >> Zimmerman: That brings us to agenda item number 6, staff briefing, invited testimony and policy discussion with regarding Austin taxpayer funded Syrian refugee relocation. And I did put up on the bulletin board about a week or so ago. And so just one more pointer. If you need to know. We have Joe patronas, he is right there. We have the pink forms for anyone who wants to speak on this. And right now I have four speakers and I have two speakers registered against. So if I'm missing any, please let me know. Do we have any preference on how we want to do this? The time is -- it's about 5:30. We wanted to do about 30 minutes on this.

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Do you have any preference on how to move forward on this? >> Houston: Three and three? One for, one against. >> Zimmerman: Why don't we do that. >> Casar: Chair, before we get started I would like to move that we not approve the resolution in backup and that we have a statement as a committee that -- that we're welcoming of all refugees in Austin. >> Zimmerman: So there's a motion not to approve the resolution. I assume we'll get a second. Will you second that? >> Houston: I'll second it for reasons of discussion. >> Zimmerman: So we have a motion and a second so let's go ahead and move forward. I'd like to ask Clarke stand -- there's Clarke. >> Honorable councilmembers, I'm Clarke strong. I completed officers training at Quantico and spent six years in the Marine Corps. I was then an adventurer/scholar for seven years all over the world. I have been over land through the Arab countries and I've written a book on it. When I returned to Texas after my immersion in the world I served 14 years in the Texas state guard and retired as a colonel and the g2 head of intelligence. I also served on the FBI counter terrorism task force so I have some -- counter terrorism task force so I have some knowledge on Islamic terrorism and what's going on and have been studying it for quite a long time. This issue greatly concerns me. I fully support governor

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Abbott's block on Syrian refugees. I speak to many groups on the surge and the inhumanity of Islamic terrorism and they seem to be almost everywhere these days. For example, here's a flyer when I spoke at Camp Mabry, this was to the national association of uniformed services Texas chapter 10 and it was on the threat of terrorism in the U.S. Today. And then I would just like to share with you this is a map of the terror cells in the United States. And many more than what this map shows. And so we've got them all over Texas as a matter of fact and we know where a lot of them are. Then I want to share with you this is for official use only law enforcement sensitive, Texas military forces, J-3 protection branch forced protection alert, special threat advisory. Department of Homeland Security has raised the possibility of random terrorist attacks taking place in Austin and reporting a group of trained terrorists are planning to conduct attacks in Austin, Texas. The Austin group plans to plant backpack-style bombs on Sixth Street. Additionally the group plans to attack a school and a theological seminary in the downtown Austin area and complete the attack with operations at Austin-Bergstrom International Airport. And we've seen what happened in Paris and nobody expected that. They didn't even know it. And that's possible anywhere around the world and Austin. So this is by --

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[buzzer sounds] >> Zimmerman: Go ahead and finish your thought. If we could put that overhead up I would appreciate that because I would have a question on that. >> The map? >> Zimmerman: Yeah, the map. >> And this is an article from CNN and the title is more than half the nation's governors say Syrian refugees not welcome. So this is not just Texas, this is the majority. I believe the safety of our country and state should be our number one priority. Do we want to take a chance on what happened in Paris happening in Austin? I don't think so. >> Zimmerman: Hang on a second. Any questions? So tell me quickly about this map again? And what's the source of the map? >> Well, you can go to -- up at the top or the bottom -- I don't see it on when I'm looking at it here, but you can go to that website down there and Google that or should be a lot more information. So these are -- actually like in Houston you have al-Qaida, Hamas, the Muslim Brotherhood and it shows -- but this map is not near complete in today's world. And it's many more than this, but this is a map that will give you an idea. And I just want to share

in this article the governor's announcements came after authorities revealed that at least one of the suspects believed to be involved in the Paris terrorist attacks entered Europe among the current wave of Syrian refugees. He had falsely identified himself as a Syrian and was allowed to enter Greece in early October. And that's the only one they

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knew about. We don't know how many more are there. >> Zimmerman: Thank you, Mr. Strong. We'll go to our next speaker, but if you could please stick around. >> Sure. >> Zimmerman: We need to move to - >> Is my three minutes up? >> Zimmerman: Yes. >> I had some good stuff. >> Zimmerman: Stick around, please. >> We have Jo Katherine Quinn identified to speak against. Is Jo Katherine here? Thank you. >> I'm Jo Katherine Quinn, the executive director of caritas of Austin. And I want to be clear that I'm speaking against the resolution to not allow Syrian refugees to come into Austin. Caritas of Austin has been resettling refugees since 1974. We know the business of refugees. And I would take exception to the speaker before me that it has been now known and reported that the individual that was once thought to be a refugee in Europe is in fact not a refugee. Those were falsified documents that he was using. So I would ask the committee not to conflate and be very, very careful not to conflate terrorism with refugees. That's not to say that there's no connection at all between the two, but I do know this, in the 42 years that caritas has been doing our work in this community,

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the refugees that we've resettled, well over 90% of them have all become self-sufficient and have integrated into our community and have been living here for years and years and years. And they are well adjusted, well adapted members of our community that make tremendous contributions to Austin, Texas. And if you are a terrorist and you're trying to get into this country and you want to come through using the refugee system, you're not a very smart terrorist. Because it is virtually impossible to get through the refugee vetting process that takes two years with an amazing amount of intelligence communities that you have to be interviewed by. That is not the route you would choose if you were really trying to get in, so I would ask us to tamp down the fear and to look at the facts and not allow tonight to be a fact-free zone. Terrorists are not coming through the refugee process. The people running from terrorists are coming through the refugee process. Thank you. >> Zimmerman: Hang on a second. Any questions? >> Houston: Excuse me. You mentioned the vetting process. Could you be a little bit more succinct about what it is that a person who identifies themselves as a refugee, what process do they go through and how long is that process? >> So to understand, the vetting process starts when

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the refugees are still overseas in a refugee camp. They are interviewed by multiple intelligence agencies of the United States. Starting -- the vetting process starts with the state department. It includes the FBI, the CIA, the NSA and others that I'm not even aware of. I don't know their names. For two years the refugees are interviewed numerous times face to face. They are vetted doing a document trail as well, and if there is any blood cell miss on their record they are not allowed to come in. Only about one percent of refugees that apply for refugee status are admitted into the whole pool of refugees and then a portion of that one percent are the ones that are cleared to come to the United States. No one gets on a plane headed to the United States until they are completely vetted and approved. >> Houston: And once they get here in the refugee resettlement program how long does the agency maintain contact with the people? >> We work with people between four to six months, our particular organization, but

there is another organization in town that can provide services for up to five years. I think the four to six-month time frame speaks to the resilience of the refugee population because they are able to learn enough English to get a job, to get a job and to start

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paying their bills in four to six months. They are an amazing population of people who literally come to the airport with no luggage because they have just the clothes on their back and they accomplish this incredible journey from nothing to self-sufficiency in four to six months. Any other questions? >>

Zimmerman: Thank you. >> Thank you for your time. >> Zimmerman: Our next speaker, Dewayne [indiscernible]. >> Casar: I would like to thank Ms. Quinn and Caritas for the resettlement work that you do and for coming and explaining the facts here today. I just think that unfortunately it doesn't seem that this debate as far as I can tell is about facts and I think you've been very polite and kind to talk to us about those, but it seems to me -- and I know you probably can't say it and a lot of folks who do this work can't say it, but it's about politics and about using the people you serve as a political tool. And I'm sorry to see that happening here today considering that probably everybody in this room is the descendent of an immigrant. I'm a descendent of refugees that fled a country in war, and I'm sorry that you have to be here today instead of the good work that you're supposed to be doing. >> Good evening, chairman, members, ladies and gentlemen, thank you for allowing me to be here today. My name is Dewayne nullman. I appreciate the fact that you folks have the flags of the different branches of the military that stand behind you because those are the people that allow for

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all of us to stand here and say what we have to say today. And what I would like to do is take the opportunity to lay out some facts as a mechanic of the military -- member of the military forces of the state of Texas. I've had the opportunity to see firsthand the possibility, if not the actual threat of terrorism on our home soil, the reality and the fact that it does exist. As a member of the guard we did a combined law enforcement/military exercise in order to tackle and deal with some of the drug-related and terrorist issues on our southern border, which as we all know is wide open. Through the six-week period that I was on active duty we tracked approximately 3,500 drug-related and terrorist-related activities and individuals attempting to cross the U.S. Border into Texas. That's just what we know of. I have personally witnessed the terror that can occur on the border between Mexico and Texas. You can say it's drug cartel, and anybody that says that it's a drug cartel that's in the in Texas is not paying attention. I was a witness to seeing 38 people on the Mexican side of the border be murdered by the drug cartel terrorists, and they were close enough to me that I could see the flash from the rocket propelled grenades and hear the machine gun bullets bounce off of the building that we were in. So we're close. So to say that it's not here is not fact, it's not reality. As far as the Syrian refugees are concerned, yes, I think we need to take the opportunity to vet these individuals, but as homeland

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security has already said multiple times, they have no way to do so. Since it takes 18 months to two years, as was previously discussed, to vet these individuals, Syria has no means to share electronic or paper data with the United States state department in order to make sure that the people that are coming in here have the appropriate documents and that they're real, they're not forged or fake or paid for by the terrorist organization which we all know wants to do harm to the United States. So as a Texas soldier, I would encourage you to strengthen our borders, strengthen the resolve and public safety of

those of us who rely on our law enforcement, local, county and state law enforcement to protect us and keep us safe. I would rather not be called to active duty because of the efforts of our law enforcement and our homeland security and our border patrol. >> Zimmerman: Okay. The timer went off. Again, your position -- >> Is for. >> Zimmerman: No, but you as a professional and the work you do, you're a sergeant major? >> Yes. I'm thinking of legalry having my name changed to sergeant major. That's what people call me. >> Zimmerman: Don't do that, Dewayne. Is there -- in your view is there any truth to the report that people are coming over -- we've caught people coming in through the border that are not from Mexico. That's very well-known now. >> Absolutely. >> Zimmerman: There are people coming in from virtually the whole world, but have there been any Syrians -- I think there were some Syrians that presented themselves on the border. >> To my recollection, yes. I can speak emphatically and truthfully that the reports that I saw during our combined law enforcement/military operations, there were people that were being brought across the border by any means possible, boat,

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truck, swim, whatever means that they could get across the border not just from Mexico. These are not Mexicans coming over. These are people that come in to Mexico from terrorist countries that come across our border through those means. >> Zimmerman: So are your colleagues saying that the drug cartels that do human smuggling now -- we know that. We have a human smuggling problem now, forced pros Tuesday, other issues that we are talking about. Are you saying the same network can be used to funnel in somebody from Syria, somebody from Isis? >> Yes. And I want to speak to one quick point. You are absolutely correct, the legitimacy of the drug cartels and the terrorist organizations are working their way into legitimate business practices that we all take for granted everyday. I'm in the oil and gas business in my career, if you want to call it that, especially with oil and gas as low as it is, I have a lot of free time, but I will say that in some of the countries that I have to deal with directly I have to be very careful and check with the state department on who I'm doing business with because of the fact that there are terrorist organizations and organizations through the drug cartels in Mexico and other countries that are legitimizing themselves through their affiliation or their ability to launder money through actual legitimate businesses within these central and south American countries. So it's an ever-changing, high tense, high security world that I work in everyday just for my regular job. As far as what we do from a military and law enforcement standpoint, I think the same can also be said. It's unfortunate, but that's the truth, that's the world we live in now. >> Zimmerman: Thank you very much. >> Thank you, sir. >> Zimmerman: Our next testimony, is it Marsh --

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amatas Marsh? And following her would be Mr. Curbalaw. He would be next. >> Hello, chairman Zimmerman and councilmembers, thank you for allowing me the opportunity to speak. My name is amatas Marsh, I'm a proud native texan and have lived in Austin for over 20 years. During my time in Austin I've worked with several social service agencies and I've had the blessing of serving some of our most disenfranchised and vulnerable community members. I counterly currently work at caritas of Austin and manage the employment program which assists people who are veterans, refugees and also individuals who are in affordable housing, we help all these groups obtain employment in the Austin area. Our case managers and employment staff build relationships and maintain consistent and continuous communication with our clients. We provide services that assist everyone we serve to become self-sufficient and successful members of the community. I just want to emphasize that refugees that come from all over the world become well integrated and successful members in our city. They are peace-loving people who want to start a new life in a safe place and deserve to be welcomed.

At this time the refugee rec program at caritas -- resettlement program at caritas receives no city fund for our services however this city funding is vital to address health needs at the refugee health clinic. Upon arrival all refugees receive health services at the clinic before children are register -- can get registered for school and before adults are ready for employment. This proposition goes against the principles of our great city and it would really taint our identity as a city and as a leader in

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the United States. Thank you. >> Zimmerman: Thank you very much. Any questions? Thank you for coming. Mr. Curbalaw? >> Evening, to get the pronunciation correct, it's bill curbalaw. Like several of the other gentlemen before, I have a background in military as well as the civilian world, U.S. Navy intelligence, retired Navy captain. And which includes a Navy commendation medal and humanitarian service medal for work in Vietnam. I've served in active duty during the Lebanon crisis and invasions of 1973 and briefed senior officers during those situations. I was involved in -- I was the intelligence officer, I've written and edited cultural handbooks for Romania, been recognized by the director of Kia, admiral turner for my analysis on North American countries, training street agents, human intelligence and recognized security flaws a year before Pollard was captured or turned in. I've been a reserve attache to Argentina, commander of NCIS unit, drug enforcement operations in central America, worked on the American shield initiative and homeland security projects under raytheon, one of the six engineers that invented the process that secures the borders and three years involved in background investigations

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and security clearances. I have a bunch of notes with me. Having evacuated folks from Vietnam in a crisis situation when we took thousands of people out of saigon, not across a period of 18 months or two years, it was all done in less than 24 hours, and we brought them to the U.S. They went through no two years of vetting. It was an emergency, but these were people that we had immediate interface with, that worked with U.S. Operations. A lot of them spoke English. They knew the culture. And they were coming to an environment that they had already had some acclamation to. The current situation in Syria, Syria is really a mess right now. It's full of all kinds of people that have come from many different countries, sometimes indirectly. A lot of them being nomadic, weren't necessarily citizens of the country that they prior came to, especially the bedoiun and other type tribal populations that have little if any records for their birth and their history. We have a totally different situation, plus we have action coming out of Washington who wants to fast track and cut a lot of corners on a very -- [buzzer sounds] A very risky population. So I think before anyone makes any final decisions, one thing that I've dealt with in many activities over the years is doing a comprehensive impact and risk analysis on what we really have. I'm also involved in law enforcement issues up in Williamson county where we have overlap. And I think it would behoove us to do a really intelligent, comprehensive, risk impact, not just to things like terrorism, but also look at the cost of

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bringing these people in, assimilating. We're having trouble just taking care of our own vets and our own homeless population. I think there's a lot more discussion before we make too rapid of decisions of just bringing in large amounts of people that we really know nothing about. >> Zimmerman: Okay. Let me just stop you there. And ask a quick question. One thing I've struggled with in this whole debate, we have what I would call home-grown suicidal killers, mass murderers that show up at a movie theater or they show up at some public place and they just start killing people. Andrew Harris these homicide Al --

and these homicide Al maniacs are homegrown. We can't vet our own homegrown potential killers. How do we vet people from a foreign country, foreign language, foreign government, in an area of civil war? How do I vet somebody from there? >> The probability to do it successfully at low risk is impossible at the moment with our current processes and resources. >> Zimmerman: Final question for you. You're in Williamson county so one of the interesting things here is if the city of Austin adopts certain policy regarding refugee resettlements, Williamson county, very different political territory. To speak to councilmember Casar's point, there is politics involved in this. So if we have an extremely different political climate in Williamson county than we have in Travis county, but we have a city that overlaps, so my district 6, about 40% of my district 6 is in Williamson county.

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So help me understand what would happen when we have diametrically opposed policies. If Williamson county wanted to not resettle Syrian refugees for the reasons you point out, that would be Williamson county's policy, but the city of Austin has the opposite policy and they want to encourage the refugees. How would that play out? In terms of how you would administer your policy in Williamson county? >> When you're looking at the counties you're still looking at counties with a large population that, yeah, they have slightly different political base percentagewise between conservative and less conservative. But still look at the issue that you really should understand the concerns of your entire population and not allow a small group of people to determine the course of action. I don't think you will find the same attitude even if you look at the whole population of Travis county will not necessarily reflect some of the decisions made at the council level. So I would recommend that you go back to the basic concept of our constitution of we the people and get a whole lot more direction from your constituents. >> >> Zimmerman: appreciate that very much. Any other questions or comments? Thank you, Mr. Curbala. That brings us to -- is it mama obalde? Did I influence right? Thank you for being here, and you're our last speaker. I think you're identified in opposition. Thank you for coming.

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>> Chairman Zimmerman, dear councilmembers, thank you very much for giving us the opportunity to address to you this afternoon about this very important issue about the city and refugees. My name is [indiscernible], I work for caritas of Austin as a refugee rereceptor program manager and I've been in that roll for over six years. Syrian refugees are fleeing violence, trauma, persecution, and all kinds of human rights abuse. As nation of I am immigrants -- as a nation of immigrants, the United States and of course Texas should show compassion, not fear, toward these vulnerable women and children seeking a safe place to call home, start a new life. Refugees are victims of terror, not terrorists. Refugees just -- this is just for education because some of the speakers don't know what is going on in the media. There's lack of understanding. Who is a refugee and how refugees come to the united States. A refugee is not somebody who packed his bag and catch a plane the next day to land in the United States. They go through a very complex and very complex and diverse background check, medical check, before coming to the United States. Families are cross from each other. Individuals are checked multiple times.

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Before they are given the opportunity to continue further interviews and vetting for coming. And all these are drawn not in the United States, overseas. Most of of them in refugee camps before coming. So people who are second -- seeking refugee status in the United States are very resilient people who are committed to building a new life and helping the country that resettled them. So refugees are in the

united States -- who are in the United States, that -- from the 1970s, starting with refugees from Vietnam all the way to the population we are talking right now, Syrians, these are people who are resilient. [ Buzzer sounding ] >> Who are willing to contribute to the economy of this country that we all love and cheer for. Thank you very much. >> Zimmerman: Any questions? Thank you very much for coming. Those are three speakers for and three against. We have one more agenda item so is there any more discussion? There's a motion that's been made and seconded before we vote. >> Houston: Yes. And I'm going to read the statement so that -- I don't want to be obtuse or anything like that. I want to thank everyone for sharing their information this evening. This is a very emotional topic. I want to acknowledge the concern that some people are expressing about allowing people from war-torn parts of the globe the opportunity to resettle in the city of Austin. I also want to acknowledge the fear that others may be experiencing because of not knowing or understanding the process that is used to

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scrutinize individuals who are seeking safety in our city. In an imperfect world, the world that we live in, there are no guarantees. We can, however, get as many factual information as we can regarding the process used to screen people, the length of time the process takes, and how long the agencies whose mission it is to resettle people are involved with families and individuals. And what kinds of supports are provided, including the role of the city of Austin, when people arrive in -- from other countries. I understand some people's concerns about the other in our midst. However, I am more concerned about those mass murderers and domestic terrorists born in our United States and have the ability to move freely from state to state and to kill innocent people to make a statement. I feel that we have a compassionate and humane obligation to care for other people who are part of the human race, regardless of their ethnicity, culture, background, or affiliation. And so in this matter I'm going to error on the side of humanity and I'm going to always vote to include those people in our city. >> Garza: Chair, I'd -- >> Casar: , I'd like to call the question to deny the motion and not send anything to council but make a statement from this committee that we're supportive and welcoming of refugees in Austin. >> Zimmerman: We've called the question. There was a motion made and seconded to reject the resolution so I'll go ahead and ask for that vote. All in favor of rejecting the resolution? >> Houston: Your resolution. >> Zimmerman: I mean the motion, sorry, motion to reject. >> Casar: My motion to reject. >> Houston: So I need to vote for his motion. >> Zimmerman: Correct. All opposed.

[6:06:42 PM]

Two in favor of rejecting the resolution, councilmembers Casar and councilmember Houston, and I'm going to be voting against that because I'm in favor of the resolution. Okay. Thank you all for coming. Appreciate that. We have one agenda item left, agenda item 7, staff briefing invited testimony and policy discussion regarding metrics for police, fire, ems. It's my understanding that Mr. Andrew Ramiro had to leave but if there's anybody else that would like to speak on this item, that would be helpful. And I may ask, if I could, assistant city manager aware aware yano to make a few remarks if you could. >> Good evening, committee members, assistant manager. We'll present the metrics we track from each of the three departments in whole, certainly there are a number of other metrics we track throughout the process operational in nature but in order to provide you at least a starting point for information that you may be interested in, each of the departments will be presenting these major metrics, what they've been in the past, in terms of what they track, and what is proposed for the current fiscal year metric goals to be achieved. So with that I think I'll ask police department to come first, followed by fire and then ems. >> Zimmerman: Okay, thank you. >> Zimmerman: Hello, Mr. Manly. Thank you for being here. >> Good evening. I know we have provided you some backup materials on the different metrics that we



track. I guess just in summary, the police department has 99 metrics we track across the entire department. What we have is a dashboard that lists the top seven that webviusly pay theolosest attention to, and those are surrounding our violent crime

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and property crime rates, case clearance rates, traffic fatalities and then response times to calls. We create these goals on an annual basis as part of the budget process, and if you're interested in how we create the goals I could talk about that. If you're want -- highlights of some of the other metrics that we track that we don't we sent you, I've got that information as well. >> Zimmerman: Any questions? >> Houston: Yes, chief manly, I have a question about the actual number violatant crime rate per 1,000 and fy16 proposed, how did you come up with that increase in the metrics? >> Sure. What we look at, we moved to a five-year averaging because we realize in any given year you could have a spike in one of your categories. This year traffic fatalities is a perfect example. We had a huge challenge this year. I believe we recorded our 92nd fatality this morning, way outside the norm for us. To build a promotion for a future year based on what would be a one-year anomaly we realized probably about four yearsing that we wanted to move to five-year averaging so what we look at is we look at the actual rates from the preceding five years and we do a rolling five-year average and then we project either the decrease or the stay the same based on what that average is. And what you're seeing there is a goal that we reduce our violent crime rate per thousand by 1% and violent crimes was a little bit asking if the reason why the number is what it is -- I believe we talked maybe during the budget process this past year that the definition for rape changed as far as what we report to the federal government, and it's more inclusive now. Crimes that used to not be

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reportable under the ucr standards as a rape are now considered a rape. So in coming one this number, what we did is we went back five years and we applied the new definition to five years of past data so that we could kind of come one what we would expect to see. So when you're looking at that projection, it's based on the adjustments that we did to account for the new calculation of rape on a five-year rolling average. >> Houston: Thank you. >> Zimmerman: Okay. Just a quick question bethat. I appreciate that clarification, but the issue with doing five-year average, that is kind of confusing to me because one of the purposes of having the metrics is so that when you see something that -- like violent crimes, obviously we [indiscernible] So if we were to make a policy change, personnel change, hire more police officers, what we -- whatever we do, we'd want to be able to see a cause and effect, right? If I want to lower one of my metrics or improve it and have fewer violent crimes I need that annual average so I can get a more recent measurement on what's going on. If I take a five-year rolling average, what I'm doing right now to see if I'm making a positive impact? >> We're providing you with the actuals we see every year so you are seeing our actual performance. It's just when we go to what we're going to set as our goal or target for the following year, we do it on that five-year average but you see our actual data as far as what the real Numbers are, and so you have the ability to see that cause and effect, and this day is all available on our website for you to look at on a monthly basis. >> Zimmerman: Thanks. So in the backup material, I'm looking at something in the backup material here that I got and it's the top line is violent crime rate per 1,000 population, so the -- in

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fiscal year '15 it says actual .05 crimes per 1,000 and fiscal year '16 proposed 4.96, almost a percentage

point increase but that's because the definition of rape as a violent crime has changed or five-year rolling average change? >> It's both. What we initially expected when the definition of rape changed under the ucr standards, we expected to see a significant increase in our violent crime rate because it's more inclusive now. It did not have as large of an impact as we expected it to have. So that's why the number is as high as it is, but we're not seeing in the real data that it increased as much as we thought it would. So that's what you're seeing there in that five-year number. But when you look at all of the other ones, property crime, traffic fatalities, we do that five-year averaging to rule out that anomaly year that happens. >> Zimmerman: Go ahead. >> Houston: So as we have talked about traffic fatalities, the actual rate in 2015, do you see that? And -- 10.65. >> Again, we're not done with the year yet so that's kind of a projection of where we anticipate that we're going to end up just because we haven't concluded the -- I'm sorry, this is fiscal year so, yes, that's where we are going to end up on this one. >> Houston: Okay. So in fy16 you see a decrease even though this year we've had more traffic fatalities than any other year in record? >> Right, this year, if we look back prior years, in '14 we had 74, '13 we had 68, '12, 74, so our average is normally in that high 60 to low 70 range. This year, when we concluded, it was much higher, and so we don't want to project next year based on one year because this year at this point is an anomaly so -- >> Houston: This is a

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five-year rolling. >> Five-year averaging. >> Houston: Okay, thanks. >> Zimmerman: Thank you. One other thing I'm going to note, I had talked with councilmember Casar separately, we definitely want to see in the top metrics some statistics on the use of the swat teams. So we're going to be proposing that maybe in January. So we'll be talking to you about that. We kind of would like to see what's been the tendency of swat over the last, say, five years about a five-year rolling average. Are we deploying swat in more instances and kind of what are the circumstances? Are they domestic violence, drug gang activity? We'd like statistics on that. >> We have all that data. >> Zimmerman: You have it already? >> Yes, we track it. It's not in a metric like this but we do track how many swat callouts we have in a year, the purpose, we do keep that data, just not something we report in that fashion. But if it's information that would be useful to you okay, we can look at getting that together. >> Zimmerman: Sounds good. Thank you. >> Houston: Cheer, before you leave, you do also keep track of use of force data? >> Yes, we do an annual use of force report that's on our website and it tracks every incident of use of force. It tracks all of the data on each incident, all of the gender, ethnicity, officers involved, years of service of the officers who are using force. It's a very comprehensive export it is something we produce annually as well. >> Houston: Is it up for this year. >> I believe the '14 is on the website now. We're not done with this year. >> Houston: Okay. So your years doesn't end in September? >> That one -- >> Houston: You start in October? >> That one we do -- that one is a calendar year report for us, not a fiscal year, so, yes, that one is not complete yet. >> Houston: Okay. Thank you. >> Zimmerman: Thank you very much. I think that takes us to some of the metrics for Austin fire department. Is that right?

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>> Good evening, Brian, assistant chief for the fire department. Similar to the police department you have the Numbers. Happy to answer questions. We have closer to 80 total metric we evaluate and take a sax size. Eight used for our business planning and budget process. >> Houston: I just have one question. >> Yes, ma'am. >> Houston: With the number of -- amount of new construction going on in this city, the decrease in the fire inspection seems low. >> Okay. I think one of the confusing things on the information -- I'm not 100% sure of what you're looking at. Where it says if, 16 projected that for us should actually be target, not projected. So it's not -- it's more of a goal than it is actually where we think

we're going. >> Houston: Okay. >> To clarify, yes, ma'am. >> Houston: Okay. >> So if you look under fy14 and fy15 there, was actually a 3,000 increase. >> Houston: Okay. >> Substantial increase in the number of inspections that were completed. >> Houston: Okay. So then I have one question that kind of overlaps with the fire department and emergency medical services. The last measure that's on your sheet, percent of cardiac arrest due to cardiac arrest that's arrive at the hospital with a pulse. >> Yes, ma'am. >> Houston: Do you transfer those people for -- to emergency medical services? >> Yes, ma'am, that's actually a systemwide metric so that is the same -- they're the same patients that are treated by both fire and ems. That's a metric that we track as the system, as the austin/travis county system. >> Houston: So that duplication in tracking? >> It's -- correct, it's not duplication of Numbers. It's -- but both departments track it and it's the same number. >> Houston: Okay. >> Does that make sense. >> Houston: No. >> Am I clear with that? >> Houston: No. >> So essentially we, as a city, track those because both

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agencies have a hand in the outcome so we both track them. But we're not double counting the instances. >> Houston: Okay. So in fy15 actual there were 32 people that -- due to cardiac arrest that arrived at the hospital with a pulse and for ems in fy15 there were 30. Did two people die on the way? >> I believe maybe these are tracked as -- in percentages, not as in actual Numbers. >> Houston: Can you give us the actual Numbers sometimes? >> We certainly can. I don't have it in front of me. >> Houston: Okay. The percentages sometimes give a different picture depending upon what -- how many people we're talking about. >> Do you have the actual Numbers? >> I do not have the actual Numbers but we can get them for you. >> Houston: Okay. That's all. >> Zimmerman: Thank you. Appreciate that. >> Thank you, sir. >> Zimmerman: One more quick -- just a quick question before you go. How many -- give us an idea of the vacancies we have right now in the fire department, employment vacancies. Do we kind of have a number? Do we know where we are roughly? >> We're right around a hundred, give or take a few. We graduated two cadet classes so that helped quite a bit. We had gotten about as high as 137 to 140 so I think we're just over 100 now. >> Zimmerman: Terrific. >> Houston: Okay build. >> Zimmerman: I guess that brings us to ems, emergency medical services. >> Good evening, jasper brown, chief of staff for austin/travis county ems. Just like the previous agencies, there's a lot of performance measures on our external website available to the public and yourselves. These are a few of our performance metrics that we've presented for you. >> Zimmerman: So the first question that always comes up is Lou these Numbers parsed out in terms of esds that are covering parts of the city of Austin, you know, the

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esds, emergency service district versus, you know, the county, the county ems, or is it all the county ems now? Is there no collaboration with the esds? >> We do collaborate, they do provide first response for us but normally in our performance measures we only report city of Austin performance measures that pertain to the city of Austin. There's a system-wide measure we can report also. There's county that we can report on separately. But when we provide data for you and the city council, it's usually just the city of Austin unless there's an overarching system-wide performance measure. >> Zimmerman: I think one of the issues I keep hearing, especially in the suburbs, parts of the city that are on the bleeding edges of the city of Austin and some of those in the hill country areas, that we have some issues reaching some of our farthest areas in the city. In other words there a dig difference between our response close to the central business district in the downtown core, there's a big difference there versus the suburbs. Is that the case or not, in your view? >> For the city of Austin, we track our priority one time measure for

arriving to the most critical calls at 9:59 or less and across the board we make it consistent throughout all areas of the city of Austin. There are challenges out in the county but, again, inside the city of Austin we are meeting those time targets. We have some challenges that we're already addressing with an onion creek station scheduled and platted for in fy17 and then through annexation we just through the council last year got our lost creek annexation unit so those will help those areas that we've had some challenges for. >> Zimmerman: I think one of the things that's really crucial that I don't think I've seen is our [indiscernible] Response time. You know, if you've got a heart attack and seconds

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matter, averages don't help you. >> Right. >> Zimmerman: It's more to kind of look at what is the worst case that we're dealing with. Do I have the worst -- you know, worst case? What are some of the more extreme examples of our delays in response times and where those occur? I'd really like to see those metrics. >> Sure. We can get you the complete listing of priority one calls. We did this recently for the public safety commission. Again, this is not be average. This is 90% of the calls made it in 9:59. We did everything all the way up to I think the longest call we had in a priority one was 22 minutes. There were several that were 16 minutes. But if you look at those calls those are the areas like on city park road that our unit coming down from river place, the response time is 16, 17 minutes. Unless you have a station out on city park road you're not going to get there on time. So we have a few of those calls that are like that. Some of the calls start out as low priority. The caller did not recognize the high priority sign or symptom, they're put as a low priority call, other higher priority calls the unit goes to, gets bumped, they'll call back, the patient's condition has worsened, now it's high priority and it ends up being a little bit long oar of a response time than we want. We still count that as not making it in our 9:59 time target. >> Zimmerman: Final question or note, I remember during the budget discussion there's was quite a large figure of outstanding or unpaid invoices for ambulance trips. >> Mm-hmm. >> Zimmerman: And I believe that numbering is now the tens of millions of dollars, right? Of Billings that have been sent out and we're not collecting. So what I'm trying to figure out is, what part of those uncollected bills have to do with people who didn't necessarily need to go to the emergency room but as -- you know, as a precaution maybe ems said, well, let's take you

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to the hospital or emergency room just in case? So the people get necessity, take a ride and they arrive and then get a bill for eight Anderson, you know, a couple of weeks later. I've gotten some complaints on this, they weren't told at the time they were taking the trip they would be given this big bill. >> Sure. >> Zimmerman: Is there a way for me to know kind of what that percentage is the people who had to go to the emergency room or else they were going to die and people when they got the bill in their hand they said I didn't need to go? And I didn't want to go? How do I evaluate that? >> I'm not sure we'd be able to evaluate it. We've had customer concerns also quality in regarding we feel like we were coerced or forced to go to the hospital. We don't coerce or force anybody to go. We recommend. There's only certain diagnostic tools we can do on scene. They're presenting with a problem to us and we always recommend it's in their best interests to be seen by a doctor and we can take them if they so chose. They get in the ambulance of their own free will and we take them to the hospital, hospital of their choice in fact. >> Zimmerman: Are they informed? Stabilize a decision-making process and judgment involved, as you just said. >> Sure. >> Zimmerman: There's judgment involved. But are the people informed, hey, if -- you know, we recommend that you go to the emergency room or the hospital and get checked out but if you go you may get a bill for \$850? You would still like to go? Are they informed? Is it kind of informed consent before you jump into the ambulance? >> We don't quote the bill to them

there's really only two Billings we utilize, but there is mileage charges and it varies on how far they're going. We don't know what their since going to pay, copay, several other factors. To say you're bill is going to be \$1,200 or \$800 is pretty subjective and, again, as soon as you quote a number that's what they expect.

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So we really don't have our medics informing people or telling them this is a thousand dollars, are you sure you want to go because that's almost a negative perspective for some who may go I can't afford that. If it's important for you to go to the hospital we want you to go and we'll work with you on the billing perspective on the backside. >> Zimmerman: Okay. Thank you. >> Houston: Yeah. That makes a the lo of sense because I can see people saying, no, I don't think I want fog it's going to cost that much money and then they die and then the city gets a lawsuit because we didn't transport. So I think we error on the side of caution. If they need to go, then we tell them you need to go. >> I do think if a customer asks we should be able to tell them. I don't think it should be part of our standard practice to say this is a thousand dollars, do you want to go to the hospital? If somebody directly asks that question, I think we should be able to inform them and let them know, it's a range, all those things I just Toledo, I don't know what your insurance will pay arbitration even that can get dicey with some people and then they make a choice not to, but we want to be as informative as possible. I mean, the rates are on the website. It's not a hidden fact. But of course you don't look those up on a daily basis unless you use us. >> Houston: Why is your increase in the number of continuing education hours for sworn employees, how did you come to that decision? >> So we've always tried to get 48 hours of continuing education per employee. That may -- helps them maintain their certification through the state because every four years they have to recertify through the state for certification and we want to be able to provide those hours in-house to them so that's the target number that we provide or attempt to provide every year. We asked for funding. We currently have 24 hours of ce. We're always asking for additional hours to be paid 48 hours.

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>> Houston: So in actual '14 and actually fy15 people didn't get certified because we -- >> No. They were able to maintain the certification. They probably had to go elsewhere to get additional hours, maybe on the web or online, which we provided additional tools they can go and do online, continuing education, but we want to be able to do it in person for them. There's definitely a hand-on factor of being there in a medical environment that you want to be in person. >> Houston: Thank you. >> Mm-hmm. >> Zimmerman: Final question I have, I think one of the important metrics is for us to know if and how many maybe transients, homeless potentially mentally ill people are using the services? I kind of like to know what percentage of people. Maybe we're doing repeat calls out to the same individuals over and over again. You know, is there a way to break down statistically? >> So we track and that's one of our performance measures for the percent of ems transports reduced in the community healthcare paramedic program arbitration one of the targets is frequent callers and so we get those inside our program, work with them to help reduce the number of transports or call backs we do with them so we've done last year a 57% reduction in transports with those patient population. Identifying someone as truly homeless, there probably are some ways to do that because of the address or information they give, others do have some address or information, other residents but they are picked up in homeless camps or others so I don't know how we would definitely track that individual population. >> Houston: But I think y'all do track some of the unregulated homes where you have frequent calls. >> Yes. >> Houston: And the police do and fire also. So that's a good metric. >> Yeah, we can look at those group

homes and things like that, yes. >> Zimmerman: Thank you very much for being here. Appreciate that. >> No problem. All right. >> Zimmerman: Okay. We have a few -- we had a few people, I think general

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communications now. Sorry. >> You're here. I didn't know you were here. Please come on up. >> Hello. >> Zimmerman: Thanks, Tony, go ahead. >> President of the austin/travis county ems organization, I'd appreciate talking to you about metrics of performance. One thing I think is important and I've remarked on this a number of times in forums like this, when you set the metrics of departments departments to department heads, I think we're missing out on a bigger picture. Like the mayor said when addressing the city manager a few months ago, we need to decide collectively on these metrics and move forward. While I do appreciate some of these things are relevant, I'd like to lend perspective to the ones you're being given and I'd like to see, moving forward, we engage with all entities, nix couldn't make it here, I think he'd like to anyway on that. I think it would be nice to have Ms. Pool and Garza on the -- I think you brought good points up, education being one. I think I think the metric for education should be how many medics are getting their needed hours of their ce to serve the citizens of Austin and with that how many opportunities are made for our medic ones to promote to medic two with the educational dollars right now. I'd like to get a baseline on what's being provided so far that isn't just relevant to simply the number of hours that are being provided by ems departmental heads. I'd like to see where that's going with how that impacts our ability to stay credentialed and our ability to serve the community in that capacity. The transports and the

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community health program, I think that's a good place to start. Also, Ms. Houston brought up good points. I think that if we invested in health and human services and had a collective effort to bring everyone together, we could probably branch these out a little bit more to try to talk about some specific things. Some of the things that aren't mentioned here I think are important. If we're going to look at response times or any metric of that nature, I think we should also be asking for what the response times are if we're talking about the number of minutes it takes to get into emergency. That should be broken down by districts. Historically all you're getting is an overview of aggregate of response times as a measure of performance and I believe that should be broken down further to be sure that every area in our community is being served in the capacity it needs to be. I think we'll find those Numbers may be off once we ask for those, in that sense. The other thing that I feel is really important is separations. We've had 45 medics separate this year, and I think that the key to understanding this in the sense of metric of performance on managerial side is can we look at retention as being a very big aspect of this? Often we hear that filling an academy is something that is accomplished something. I would say I hope so. I think we need to look at the metric of performance on retention as to how many people in the current academy are here within a year? They get off probation and invest more time into our community, getting to know our profession and being a part of that because 45 separations doesn't indicate that that is occurring. The other aspects, cumulative overtime so that's a good measure of performance for

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management. That is the unscheduled overtime that occurs when we have a number of vacancies in the schedule. So acalm live overtime is essentially the cities emergency trafficking we're obligating people often short notice to work hours, to be at work when it's not scheduled at all. That's called accumulative

overtime. I think that's an important number to get regularly as a metric of performance. Then overall the non-productive time that occurs. I'm not talking about the non-productive time that management doesn't have control over, like furlough or military leave or things like that. I'm talking about the time that people are non-productive hours for reeducation or on administrative leave for investigations of a nature that aren't clinically relevant and yet still generate overtime and when we look at that bigger picture I feel like we should collectively be together to decide with our policymakers and with our community and with the representatives of the working force and with management to come up with these measures of performance because I will say I'm not -- just an overview, these are the same that we've seen time and again, and it doesn't lend to a bigger picture. It doesn't explain why we have 45 separations and it doesn't address some of the major challenges that will be on our horizon. And this isn't unique to EMS. I think that public safety is a reactive in nature group but EMS is the what I know and I think these are the things we should look at and I'll be glad to send you a written version in response to what you've been provided so far. >> Zimmerman: Terrific. I especially like the ideas of the statistics by the 10-1 districts. Really good idea. >> Houston: And of course I like the ability to have a conversation about what the metrics really should be. >> Absolutely. I think that should be something that we take on together. That's the only way I think that we're going to have a

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meaningful measure of performance discussion down the road. >> Zimmerman: Terrific. Thanks. >> Appreciate it. >> Zimmerman: With that I think we can move to our final agenda item of the citizen communication general. I have Robert Tongue, is Robert Tongue still here in Michael Fosom and Zola Vega, you're here. Thank you for coming, Michael. It looks like you'll be our last speaker. I'm sorry? >> Houston: [Off mic] >> Zimmerman: Have you got anything new for us? >> Yes, I do. >> Zimmerman: Something new? >> I've gone in and gone through the AC recommendations, one at a time, and made some rebuttals to some of the things they've said. >> Zimmerman: Okay. >> This is different from what you've seen before. You have the slides there. I have a lot of slides so I'll go through them quickly and hit the high points so you can read the details on your own. If you have any questions I'd be glad to answer those for you. >> Zimmerman: Thanks. Could you give us those highlights in about three minutes? That would be great. >> Give me -- three minutes to that. Yeah arbitration I'm going to try to speed this up for you. I think you've seen this first slide before. Michael Fosom, fully south Austin, I'm talking about the coyote management and wildlife plan. Our policy is compressive, including hazing outreach, humane removal of aggressive coyotes. The recommended items from AA call for rolling back the point at which we remove aggressive coyotes and that's a mistake because you're not modifying behavior, of the remaining population when that happens. So taking closer look at the recommendations, the recommendation one calls for

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comprehensive plan based on national best practices, deer, human and I could I do not think conflict, covers additional animals. I would just say that our current plan is already a humane and comprehensive plan. I've put language here from the management contract where the language states what is intended, the goal, reduce human health and safety threats, reduce injuries to loss and caused by coyotes and other damage causing wildlife so this is a comprehensive policy and can be changed as needs require. And, also, the -- because it is comprehensive and has several methods, only one other -- when other options are exhausted do we resort to removing target coyotes. Now, why does the current program work? We've been through some of these slides before, because it modifies the behavior of both human and I could I do not think behavior and, again, the important point is in the second bullet point,

coyotes are removed before human attacks and we've had no human attacks in ten years. At the bottom is a summary of how that's carried out by the wildlife specialists, again for any damage causing wile life. This is a recap of the science and national best practices that backs up our current policy, trapping reinstills the fear of humans in aggressive coyotes. Similarly here are more studies, aggressive coyotes and how removal is warranted when they're an immediate threat to children or pets. Again, the so-called humane wile life policy proposed based on haysing simply does not work on had a by the waited or aggressive coyotes. In the left-hand column we've had our policy in place since 2005, we removed a few coyotes

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per year, educate the population, try to change everyone's bank the result is no human attacks. If we look at the Denver metro area as an example, the humane society based plan, they have an increase of 200% annually and more communities in California are switching to our type of plan. [ Buzzer sounding ] Pea comes, alligators, swans, there's no evidence that we have any conflicts with them and that's already covered in code. There's an example of the code, the animal control people already have purview over farm animals. If you're looking at alligators, Texas wile life services will remove those animals if necessary and we've only had two instances of alligators here in the last four years anyway. Real quickly, on number 2, hiring wildlife specialist, Travis county has endorsed our policy. They're not going to chip in for anybody that be we hire. Our deer policy was mentioned. All items in the policy either have been implemented or modified and that's the next slide. And it's to our benefit to take a successful program that only costs us \$10,000 annually and keep that rather than paying \$67,000 or more, I believe it would cost much more than that, to adopt a policy that's going to degrade public health and safety. And this is the deer policy and how that's been implemented. This is recommendation number 3, opting out of our contract, saying we have the expertise in house to take over this program. I don't think that is true. And our wildlife biologist performs all the functions called for in items one through six in the contract, not just item 5 as asc claims. If we were to replace him with

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a contractor it would cost about \$2,500 per week to hire a trapper and we get that for \$10,000 a year but he's not just a trapper, he does all the other functions with education, community outreach, et cetera so I think that's quite a bargain. So, finally, there's been some talk on part of the -- rather assertion on part of the aac and also the animal services officer that our contract is not in compliance with city code. I think if there's any question bethat before, bringing this to the council or even to the committee level, I think the councilmembers should request city legal give us an opinion on this and clear this up for us. Bert Lumbreras reviewed the program and didn't see any problems with the program. So please reject the aac recommendations. Thank you very much. >> Houston: I have a question. >> Yes, ma'am. >> Houston: Are feral hogs included in this definition of other animals? >> I'm sorry, ma'am. >> Houston: Feral hogs. >> Zimmerman: Wild pigs. >> Yes, ma'am, that is included in the definition, in the contract, as damage-causing animals, yes, ma'am. >> Houston: Okay. Would it it be possible, this will probably come up on the health and human services council agenda in January. Do you have the name of the person that we contract with now? Because we've never heard his side of the story. >> Yes, ma'am. That is -- >> Houston: You can give it to me afterwards, but -- >> [Off mic] >> Stefan hunt is the wildlife biologist, and what we can do is email you his name and contact information and his state supervisor as well. They spoke at the Travis

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county commissioners meeting when they approved the program. >> Zimmerman: You said Mr. Hunt, aptly named. >> Yes. [ Laughter ] >> Houston: Please would you send that information. >> Yes, ma'am, certainly will, both of you. >> Zimmerman: I'd like tow say I'd like the public safety committee to have a joint meeting on that because I think it touches both. >> Mm-hmm, yes, I think that would be great. >> Zimmerman: That -- we'll look forward to that. Thank you for coming. >> Thank you very much. >> Zimmerman: With that, if there's no objection, we are adjourned. I've got the time at 6:45 we're adjourned. Thank you for coming.