



**PUBLIC SAFETY COMMISSION
MINUTES**

**REGULAR MEETING
Monday, October 7, 2013**

The Public Safety Commission convened in a regular meeting on Monday, October 7, 2013 at City Hall, 301 West 2nd Street in Austin, Texas.

Chair Michael Lauderdale, called the Board Meeting to order at 4:04 PM.

Board Members in Attendance:

Kim Rossmo
Sam Holt
Mike Levy
Kent Anschutz
Michael Lauderdale
Ramey Ko

Board Members not in Attendance:

Reynaldo Moreno

1. Approval of Minutes

The minutes for the special called meeting on 9/05/2013 were approved on Vice Chair Levy's motion, Vice Chair Sam Holt's second and a 6-0 unanimous vote.

2. Citizen Communications

Citizens did not sign up to speak.

3. Discussion and Possible Action Items

a. Annual Election of Public Safety Commission Officers – Public Safety Commission

Chair Lauderdale opened the floor for Officer Nominations. Chair Lauderdale motioned to nominate Vice Chair Kim Rossmo for Chair of the Public Safety Commission. Commissioner Holt seconded that motion for the Chair nomination and it passed with a unanimous vote of 6-0. Vice Chair Rossmo accepted the Chair appointment. Newly appointed Chair Rossmo nominated Commissioner Holt as the Vice Chair for APD. Chair Lauderdale and Ko seconded that nomination and it passed with a unanimous vote of 6-0. Commissioner Holt accepted the APD Vice Chair position. Chair Lauderdale nominated Vice Chair Levy as the Vice Chair for AFD and EMS. Commissioner Holt seconded that

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nomination and it passed with a unanimous vote of 6-0. Vice Chair Levy accepted the AFD & EMS Vice Chair position.

b. Update on Travis County Mental Health Services – Judge Nancy Hohengarten

Judge Nancy Hohengarten was not in attendance to provide the Commission with a presentation.

c. Overview of Special Events – Frances Hargrove, City of Austin Special Events Manager

Assistant Director of the Austin Transportation Department Gordon Derr, COA Special Events Manager Frances Hargrove provided an overview of the Special Events to the Commission (APD Commander William Manno, AFD Division Chief Brian Tanzola, and EMS Assistant Director Teresa Gardner also in attendance – all part of the COA Special Events Department). In May 2012 Council passed a resolution that directs the City Manager to create a Special Events team. The 10th floor of One Texas Center was created to be the location of many departments Special Events teams, which is now called the Austin Center for Events. The group was created to take all the ideas from the different groups and bring them together to form a more adhesive process. This created a new ordinance proposal for the city code. This new ordinance gives the City Manager power to appoint the ACE and to give them powers to be accountable for the items related to Special Events, such as noise and temporary use permits. This would also provide authority to adopt rules, govern administration and enforcement and to review and approve application for Special events Permits. Discussed reasons for denying a permit; in some cases there were too many events going on at once, they are unprepared for the event, an event to close in proximity of another event, or not enough resources available in public safety. Application will need to be submitted to the Austin Center for Events; it will then be reviewed by each member of the Austin Center for Events, at that time there would be a determination on if the event can go forward or if it will need to be resubmitted with edits per the feedback they receive. What is a “special event”? A special event is a 100+ people at a City-owned/controlled facility (excludes Convention Center, Long Center, Palmer Events Center and City Hall), Interferes with City street, walkway, or city right-of-way for non-parking use, or is temporary and inconsistent with the permanent legal use of property. Exemptions for special events are events conducted entirely on parkland using PARD resources, events conducted in city auditorium or meeting room that requires only resources related to that facility, or an event conducted on sidewalks and city parkland that is spontaneous. They made the ordinance scalable by creating a four tier system. Mr. Derr and Mrs. Hargrove will be able to provide more exact numbers, as far as how many events are applying in each tier. Previous to this proposal there were no tiers on how events were categorized. There are few fees applied for special event permits; most of the event pays permit fees and public safety fees. Vice Chair Rossmo is asking for information that shows the impact and the growth of the impact so they are able to get an understanding on how the events use our resources. Vice Chair Levy asked APD Chief Manley, if the city reimburses APD with the fees it incurs for overtime, that money doesn't really go back to APD it goes into the general fund, correct? That is correct all reimbursements will go into the general fund. APD is starting to track the resources that are getting pulled in or assigned to special events. There are two types of overtime that happen for an event; one that is paid for by the event and one that is paid for by APD to provide additional coverage. APD attempts to cover with on duty officers first

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but if that exhausts all available resources then they call in officers for overtime. Commissioner Ko states that the commissioners primary concern is that there is a direct distinction between direct and indirect cost. The numbers of indirect costs are starting to outweigh the costs that are being reimbursed. Is there a plan to reevaluate the fee schedule for these events? The group behind the proposal is currently looking at the fee schedule and what the fees should be to cover the number of hours by the tiers. Commissioner Ko asked the three agencies (AFD, APD, and EMS) how they feel about the proposal and if they feel they have an opportunity to advocate for their agencies. ACE will eventually have a guide book online that will provide people planning events with all the necessary information they will need. AFD Division Chief Brian Tanzola (Fire Marshal), stated that AFD ha had additional staff on duty during special events but there were fees that were charged for are not recoverable. For example, during ACL there were 32 additional staff on duty but there were fees charged to the organizers to recover some of the charges. Vice Chair Rossmo would like to know what happens if someone says they don't want to pay the fees and only a portion of the fees. Who makes the final determination? How are the fees determined? Per Mr. Derr, they normally get 100% of what they ask for unless council waives certain fees. Waivers are given for two reasons; it is a big event that is known as an Austin event or you have smaller groups that can't afford it. The group also went through a few of the ACE team powers. One of the abilities they will have is the right to deny and revoke permits. Commissioner Ko feels that the proposal to council would be them looking at all the costs and not just the initial costs for an event and that the funds go back to the departments and not the general funds. Recommendation for Council for this item will be three points:

- We urge the council and ACE to fully examine the current process and how the costs are captured,
- Urge that council consider that any funds captured go back to the public safety funds,
- To ensure that the Public Safety Commission is fully incorporated in the future process and decisions going forward.

d. *Presentation of the Commodity Flow Study – AFD Special Operations Battalion Chief Larry Janzten*

The first item Chief Janzten reported back to the Commission was a comparison on the flow of hazardous materials through the City of Austin on truck transport versus rail transport. The second item was to see if AFD could come up with an estimate of what a commodity flow study would cost the City of Austin. Chief Jantzen was able to find documentation from many different reports. He cautions the commissioners on his report that it is not completely accurate on the flows through Texas due to the fact that shipments don't always originate and terminate in the same state. Based on a report produced on March 1, 2008, this leaves us unable to track deliveries that don't leave or terminate in the state of Texas or just pass through. Trucks move about 43% of all the hazardous movement whereas rail only accounts for 4%. The remaining 52% is transported through pipelines, water and air. Another report produced in August 2009 by TXDOT, trucks move about 28% of all hazardous materials in Texas whereas rail moves only about 8%. The remaining 64% is moved through pipelines, water and air. The percentages of Haz Mat originating and terminating in the state of Texas can be tracked. Austin doesn't see frequent rail transportation because we don't make hazardous materials and we don't buy them. Per the

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Union Pacific Railroad Company there are more cost efficient routes that don't go through Austin. Austin Transportation averages are about the same to the nation averages and below on some like rail. The last commodity study in Austin was done 13 years ago. Vice Chair Rossmo would like to know if it would be beneficial to recommend to council that we conduct a new commodity study. The cost of the last commodity study was approximately \$12,000. This cost was a mix of grant funds and a percentage the city had to match. Last year Williamson County completed a commodity flow study that cost approximately \$70,000. Of the \$70,000, Williamson County paid a 25% matching fee of \$13,635. AFD Battalion Chief Jantzen is estimating that the city of Austin would spend about \$100,000 to \$150,000 on a commodity flow study. It would cost more than the Williamson County study because they have less roads ways then we did in 1999. AFD Battalion Chief Jantzen's recommendation/opinion regarding the commodity work flow study is that the city of Austin should not do another one. He believes the money could be better utilized elsewhere. He believes the city of Austin has a good idea of what comes through the city. Compared to other cities and areas we have a very low risk of facing a hazardous material accident because of where we are located. The city of Austin would not be able to get a grant for the study because the grants are being passed out between smaller rural areas that would not be able to fund such a study.

e. Five Year Review of Police Call Load Changes – APD Assistant Chief Brian Manley

This was put on hold until the next Public Safety Commission.

5. Discussion Regarding Potential Future Agenda Items

Commissioners Future Agenda Items for November:

- a. Update on Downtown policing
 - i. Commissioner Anschutz will be presenting
- b. Five Year Review of Police Call Load Changes – APD Assistant Chief Brian Manley
- c. Update on Travis County Mental Health Services
- d. Resolution Thanking Chair Michael Lauderdale for his 4 years of public safety Chair.

6. Adjournment

Motion to adjourn by Vice Chair Rossmo, seconded by Commissioner Anschutz. Meeting adjourned at 5:54 p.m.