


Exhibit F



MEMORANDUM

TO: Austin's Commission for Women
Human Rights Commission

FROM: Joya Hayes, Human Resources and Civil Service Director 

DATE: August 24, 2017

SUBJECT: City of Austin Efforts to Address Gender Disparities

The purpose of this memorandum is to provide the Austin's Commission for Women and the City's Human Rights Commission a list of efforts the City has undertaken to address gender disparities in the City of Austin, as directed in Council Resolution 20170323-054.

Interim City Manager Hart sent a memo requesting all city departments provide documentation on current and previous programs that affect the citizen experience and/or workforce operations, which were driven by initiatives to address potential gender disparities and to be inclusive of women. Attached to this memorandum is the responsive information gathered.

Now that this list has been compiled, the resolution directs the Commission for Women and Human Rights Commission to research other practices not documented and develop recommendations for modifying City policies or practices to eliminate potential disparate impacts. This resolution states this joint recommendation should be submitted within 180 days.

The Human Resources Department recognizes the amount of time taken to compile the requested information has taken longer than anticipated, and will inform Council a response will be provided after the initial deadline. We hope to have this completed and to Council by November. Since the Human Resources Department supports both commissions, we will support this endeavor and ensure this new timeline can be met.

If you have further questions regarding this information, please contact your staff liaison to your commission and we will provide a response.

Attachment

Cc: Elaine Hart, Interim City Manager
Mark Washington, Assistant City Manager

Summary of City of Austin Initiatives - Council Resolution 20170323-054				
Department Name	Department POC	Program/Initiative Name	Dates Program/Initiative was/is in effect	Short description of Program/Initiative
Citywide-All Departments	Debbie Maynor	Establishing Base Pay	current	Use of the City of Austin's gender neutral criteria (work experience) for determining base pay rates for new hires and promotions.
Citywide-All Departments	Karen Haywood	Healthy Pregnancy Program	2016 - Ongoing	The Healthy Pregnancy Program provides employees with a personalized approach and access to nurses and education resources 24 hours a day, 7 days a week. The program is designed to help pregnant women have a healthy pregnancy and avoid complications and high risk pregnancies.
Citywide-All Departments	Veronica Briseño Lara, Director, Small and Minority Business Resources (SMBR)	Minority-owned and women-owned business enterprises (MBE/WBE) Procurement Program	1987 to current (ongoing)	The MBE/WBE program encourages minorities and women participation on City contracts by establishing special procurement goals on City contracts above the City Manager's spending authority. Goals for MBE and WBE participation differ from contract to contract, based on the type of contract, the availability of MBEs and WBEs to perform the functions of the contract, and other factors. Minority goals may be either aggregate MBE/WBE goals or race-specific goals depending on the project.
Citywide-All Departments	Karen Haywood	Mother-friendly Worksites	2012	The purpose of this initiative is to encourage pregnant and postpartum employees to express during the work day. With this initiative employees will be able to continue breast-feeding. Provide nursing and lactation privacy for nursing mothers and support flexibility in work scheduling to accommodate time for employees to express.
Citywide-All Departments	Jeff Burton, HRD	Personnel Policies	1960's to current (ongoing)	City policy requires management to take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their sex or gender and other protected characteristics. Such employment actions include recruitment, work assignment, consideration for promotion, compensation, benefits, performance evaluation, transfer, training opportunities, layoff, or termination.
Citywide-All Departments	Karen Haywood	Women's Health Month	Ongoing	September is Women's Health Month. During this time a variety of classes and screenings are held in observance of Women's Health Month. Mammograms are held during this month so that women may receive a mammogram in a comfortable and relaxed environment.

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Austin Energy	Alina Ortega Bustamante; Khalil Shalabi – Executive Sponsor	AE Women's Resource Group	January 6, 2016	Mission: To build leadership capability and organizational capacity by valuing the perspective women bring to our workforce. Goals: 1. Develop leaders who understand their value. 2. Provide avenues for mentorship and sponsorship. 3. Promote inclusion in our organization via professional development of members.
Austin Public Health	Bob Corona	Austin Healthy Adolescent (AHA) Program	2008 - current	Seeks to promote and enhance positive health outcomes for adolescents. Health education activities and curriculum are provided strategically so as to help reduce health disparities in teen pregnancy and the incidences of sexually transmitted infections.
Austin Public Health	Bob Corona	Maternal Infant Outreach Program	2013 - current	Seeks to improve disproportionately high adverse maternal and infant health outcomes for Black women by providing psychosocial support, referrals for and assistance navigating health and human services, and accompaniment to appointments if desired for pregnant/parenting moms. Services are provided using the Community Health Worker (CHW) model. CHWs recruited are Black women from the communities of women they serve who have experienced the same socioeconomic and systemic barriers that can impact maternal health and birth outcomes. The CHW position is an entry level opportunity for City employment. All necessary training, including certifications, are provided as part of the program.
Austin Public Health	Bob Corona	Moms Place Lactation Support Center	1994- current	Provides breastfeeding support to all women who have questions, concerns or challenges with breastfeeding. Lactation services are provided by certified lactation consultants and is free to anyone seeking services.

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Austin Public Health	Bob Corona	Mother Friendly Worksite Initiatives	2011 - current	APH has led the community in not only helping the City of Austin become a Texas Designated Mother Friendly Worksite but has also assisted numerous employers in the city in becoming Mother Friendly Worksite. Mother-Friendly Worksites are businesses that proactively support employees who choose to breastfeed their infants. Nursing mothers with Mother-Friendly employers are able to continue to provide their babies with breastmilk after returning to work, ensuring that they and their babies experience the full range of benefits that breastfeeding imparts.
Austin Public Health	Bob Corona	Neighborhood Services	1974-current	PLEASE ADD HOW THIS IS WOMAN SPECIFIC Provides a wide range of services which include help with basic needs, employment, social work case management, crisis intervention and preventive health for low to moderate income families.
Austin Public Health	Bob Corona	Social services agreement with Con Mi MADRE	2017 - current	Serves young Latinas, and their mothers in Central Texas. CMM works toward ensuring that all young Latinas served by CMM earn a postsecondary degree. CMM's approach to achieving that goal is unique in that CMM 1) engages the mothers of the girls served in the educational process; 2) provides holistic education that focuses on academic and socio-emotional learning; and 3) begins services for girls and their mothers in 6th grade that continue until graduation from college for a total of up to 13 years of services available for each client. Simultaneously, CMM empowers and equips the mothers of girls with the knowledge and resources they need to support their daughters through adolescence and in their pursuit of higher education. This agreement has an annual allocation of \$60,414.

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Austin Public Health	Bob Corona	Social services agreement with GENaustin	2013 - current	Serves at-risk girls in the Holly neighborhood that are referred by school counselors, administrators, and onsite truancy officers, and referrals target girls who have excessive absences or other behavior issues that indicate a risk of being filed upon through the court system. The program includes 8-12 week groups, a weekly afterschool program, workshops, and a conference aimed at creating a safe space for clients to share, learn, and grow, and provide them with critical skill building opportunities, and increase their self-esteem and self-reliance. This agreement has an annual allocation of \$21,822.
Austin Public Health	Bob Corona	WIC	1974- current	The Special Supplemental Nutrition Program for Women, Infants and Children (WIC) is a health and nutrition program with a successful record for improving the diet of pregnant, postpartum, and breastfeeding women who are at risk for nutrition-related illness. The main focus of the WIC program is to educate mothers on the proper nutrition for themselves and their children.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	(Roller) Derby Day	May 7, 2016	A program featuring a screening of the Hell On Wheels documentary film about the resurgence of modern, all-girl roller derby. Also real roller derby skaters from Texas Roller Derby (TXRD) and Texas Rollergirls share what it takes to be a rollergirl.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Art + Feminism Wikipedia Edit-a-Thon	March 11, 2017	Articles on notable women in history and art are absent on Wikipedia. This event, for people of all gender identities and expressions, particularly trans- and cis-gendered women, was organized by Art + Feminism to address the disparity in gender participation (both in writing and in content) in Wikipedia by communally updating the latter's entries on art and feminism. Female-identified editors were particularly encouraged to attend. The Art + Feminism Wikipedia Edit-a-Thon is a yearly all-day event that takes place in many cities worldwide. Art +Feminism is a rhizomatic campaign to improve coverage of women and the arts on Wikipedia, and to encourage female editorship.

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Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Backwards in High Heels Exhibit	February 25 to October 5, 2014	Backwards in High Heels: Getting Women Elected, 1842-1990 was an Austin History Center exhibit that looked at the local women who have played a significant part in politics in Texas' capital city. Covering a span of 150 years, the exhibit highlights many of the female "firsts" in local and state politics. With conviction and effective strategy, women went from being disenfranchised to holding the highest office in the state. Press Release: http://library.austintexas.gov/press-release/backwards-high-heels-getting-women-elected-1842-1990-54433
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Beer Garten Social: The Wit and Wisdom of Ann Richards	September 3, 2014	The Austin History Center celebrated the birth of Texas' 45th Governor during its second annual Beer Garten Social at Scholz Beer Garten in partnership with Austin's own vaudevillians, Esther's Follies, to stage a variety show honoring Texas' last female governor. The show starred Shannon Sedwick and other special guests including author Spike Gillespie. There was music and a performance by a thespian student. In addition to the stage show, the program offered fun family activities, birthday cake, a table-top exhibit celebrating the life of Ann Richards and other surprises. Beer Garten Social: The Wit and Wisdom of Ann Richards is one of a series of events in conjunction with the Austin History Center's exhibit Backwards in High Heels: Getting Women Elected, 1842-1990.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Beginners Music Workshop and Tour Planning Seminar	Summer of 2017	Adult Summer Reading Program 2017 program featuring all female presenters. Programming includes: Ladies Rock Camp and Ruby Dee of Ruby Dee and the Snakehandlers, leading attendees on how to get started in music and touring, program featuring an LGBTQ, bilingual (Spanish and English) all female band to celebrate LGBTQ Pride month and intersectionality.

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Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Controversy and Conversation: GTFO Documentary Screening and Discussion	November 3, 2016	A film screening and discussion about 2015 documentary GTFO by filmmaker Shannon Sun-Higginson that explores sexism and women in the world of video games. The film pries open the video game world to explore discrimination and misogyny in the 20-billion-dollar industry. In recent years, the gaming community has grown more diverse than ever, leading to an extraordinary clash of values. Through interviews with video game developers, journalists and academics, GTFO paints a complex picture of the video game industry and the acts of harassment that women experience. Join in the conversation sparked by this documentary, contributing to the vision of the future of the video game world. Controversy & Conversation is a film series that screens documentaries about the most controversial issues of the day and discusses them as a group. This program is presented in partnership with The University of Texas Humanities Institute's Difficult Dialogues program.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Controversy and Conversation: Just Gender and Southwest of Salem	August 4, 2016 and February 2, 2017	Just Gender, the 2013 documentary directed by George Zuber that tackles the little understood world of transgender people. The film also seeks to dispel the confusion between sexual orientation and gender identity. Southwest of Salem, that follows the struggle for exoneration of four Latina lesbians who were wrongfully convicted of gang rape against two young girls. This screening featured a Q&A with director Deborah Esquenazi.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Effecting Change	June 11, 2014	Austin History Center panel discussion with former Austin mayor Carole Keeton and former Texas State Representative Wilhelmina Delco, moderated by St. Edward's University professor Paula Marks, with poignant and often humorous stories about their lives and careers in politics.

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Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Forgotten Women Writers	May 27, 2017	Workshop meant to introduce attendees to the work of brilliant, underappreciated female authors neglected by time and the establishment, and to learn from their literary feats to craft their own unique style.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Howson Foreign Film Series and Discussions: The Patience Stone and Fill the Void	April and June 2017	April - French-Afghani movie, woman watches over the husband reduced to a vegetable state by a bullet in the neck, abandoned by Jihad companions and brothers. One day, the woman decides to say things to him she could never have done before. June - An Israeli movie about a young Hasidic Jewish woman being pressured into an arranged marriage to a widower.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Kid Me Not	March 28, 2015	Austin History Center author program with Aralyn Hughes. Book is a collection of stories from women in their 60s who grew up in the 1960s and chose to not have children, being the first generation to have that choice. Several women read from their contributions, sharing stories that are not only personal to them, but a social history and commentary on the 1960s and 70s.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Las Gabacha-chas	Summer of 2017	Adult Summer Reading Program 2017 program featuring an LGBTQ, bilingual (Spanish and English) all female band to celebrate LGBTQ Pride month and intersectionality, included a board for attendees to write supportive statements for each other and the community, tabled by PFLAG Austin.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Latinas in the Shadow of the Live Music Capitol of the World	April 8 to September 11, 2014	Austin History Center exhibit focusing on Latina musicians in Austin's history.

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Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Made With Code: Code the World You Want to See	May 30 and September 19, 2015; October 1, October 22, November 5, and November 12, 2016; April 8 and April 29, 2017	Test out kid-friendly coding and virtual reality activities and learn about Google Fiber and the Community Connections program: experience virtual reality with Google Cardboard, explore the world of coding, and learn more about the Digital Inclusion Project. Google started its Made with Code initiative "because increasingly more aspects in our lives are powered by technology, yet women aren't represented in the roles that make technology happen..." "If we can inspire teen girls to see that code can help them pursue their passions, whatever they may be, then hopefully they will begin to contribute their voices to the field of technology for the benefit of us all."
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Meet Debra Winegarten, Author of Oveta Culp Hobby: Colonel, Cabinet Member, Philanthropist	September 21, 2014	Meet Debra Winegarten, author of Oveta Culp Hobby: Colonel, Cabinet Member, Philanthropist on Austin Museum Day at the Austin History Center and join her for a discussion of the fascinating story of Oveta Culp Hobby (1905-1995). Oveta Culp Hobby: Colonel, Cabinet Member, Philanthropist is the first biography of this important woman. The book traces her life from being raised in Killeen, Texas to being a Parliamentarian. During World War II, she was asked to build a women's army from scratch – which she did, then became its first director and the first female Army colonel. President Eisenhower chose her as Secretary of Health, Education and Welfare, the second woman in history to be appointed to a president's cabinet. With her husband, former Texas governor William P. Hobby, she led a media empire that included the Houston Post newspaper and radio and TV stations.

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Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Meet the Author, Carol O'Keefe Wilson and Learn About the Scandal-Plagued TX Govs "Ma" and "Pa" Ferguson	July 19, 2014	Meet Carol O'Keefe Wilson, the author of In the Governor's Shadow: The True Story of Ma and Pa Ferguson at the Austin History Center. Wilson discussed the story of Texas Governors James and Miriam Ferguson and the depths of their political machinations, revealing a level of misconduct previously unknown. The presentation offered an in-depth and unique perspective on the election of Miriam Ferguson as Texas' first woman governor a full ten years after James' impeachment and how her situation affected and was affected by women's political issues of the day. This program was offered in conjunction with the Austin History Center's exhibit Backwards in High Heels: Getting Women Elected, 1842-1990.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Mother Daughter Book Clubs	Ongoing monthly program since 2007	Mother Daughter Book Club is recommended for mothers and their daughters ages 8 to 12. Daughters bring their moms and discuss what you're reading with the group. Mother-Daughter Book Club is a good way for mothers and daughters to spend quality time together in an increasingly hectic world. Reading together also lets mothers share with their daughters their love of reading, one of the most priceless gifts available. And last, but not least, it's a great place for girls to express their thoughts and opinions and make new friends.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	My Library Keeps Me Healthy: Finding the Help You Need	November 17, 2016	A program that offers help finding mental health, addiction and health insurance resources for women reintegrating into the community after incarceration and for their families. Dr. Nicole Warren from Austin Travis County Integral Care (ATCIC) was the speaker. Ms. Angela Herron from the Texas Department of Insurance provided a Q&A. The My Library Keeps Me Healthy initiative is funded by the U.S. Institute of Museum and Library Services through a grant to the Texas State Library and Archives Commission. (2017)

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Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Queremos Realizar Nuestra Música Para Usted	April 13, 2014	Live Latina music performance in conjunction with Latinas in the Shadow of the Live Music Capitol of the World at the Austin History Center.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Tech Chicos	June 26 to June 30, 2017	A week of technology-based learning and fun for boys and girls between 9 – 14 years old. Explored storytelling through a variety of technology and design activities such as virtual reality, animation, app design, 3D printing, graphic design, etc. In partnership with Google Fiber and Latinitas, “a nonprofit organization focused on informing, entertaining, and inspiring young Latinas to grow into healthy, confident, and successful Latinas,” and whose mission is “to empower Latina youth through media and technology.”
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	The Therapy Sisters	August 20, 2017	Adult Summer Reading Program 2017 program featuring an LGBTQ all female band, kicking off Austin PRIDE week. Includes a board for attendees to write supportive statements for each other and the community support group PFLAG will have a table with supportive literature.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	They Sing from their Hearts	April 16, 2014	Austin History Center presentation about the history of Latina musicians in Austin, followed by a panel discussion with Leticia Rodriguez, Manuel “Cowboy” Donley, Martha Fuentes Rodriguez, Peggy Vasquez, and Rose Reyes.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	This Is Happening Without Your Permission	March 4, 2017	This Women’s History Month event consisted of the following: girls/ladies rock camp, songwriting workshop; zine making workshop; podcasting workshop; Echo and the Bats, the Austin Public Library’s all-Librarian band, perform Riot Grrrl hits.

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Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Women in Tech	April 15 and April 22, 2017	Trailblazing women in tech speak about the impact women are having in technological fields. Speaking engagement, with a question and answer session.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Women Printmakers of Austin Art Demo and Reception plus Art Exhibit	Art Demo and Reception: January 16, 2016; Art Exhibit: January 15 to February 15, 2016	Art demonstration and reception featuring artists Theresa Bond and Carol Hayman. The artists demonstrated their printmaking techniques, including intaglio and silkscreen. Both are members of Women Printmakers of Austin, an organization dedicated to encouraging artists to actively pursue artistic expression through printmaking, and the Slugfest Print Studio.
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Women's History Month: Women in Action	March 21, 2017	Austin History Center celebrated Women's History Month with "Women in Action", a program dedicated to the history of women's advocacy and leadership in Austin. Featuring a roundtable discussion with longtime Austin community leaders, "Women in Action" explores past challenges and obstacles of political organizing and advocacy and shares strategies to help women today meaningfully engage in politics and/or social change. Panelists included Ora Houston, City Council Member District One; Susana Almanza, Director of PODER; Priscilla Hale, Director of allgo; Angela-Jo Touza-Medina, Executive Director of YWCA Greater Austin; Linda Phan, Executive Director of AFSSA (formerly SAHELI).
Austin Public Library	Sharon Herfurth, Division Manager, Office of Programs and Partnerships	Women's Resource Guide	Completed May 2010. Revised and Updated March 2017	The collections of the Austin History Center contain valuable research materials that document the lives and activities of Austin women from primarily the mid-19th century to the present time. The materials in this resource guide are arranged by collection unit. Within each collection unit, items are arranged in shelf-list order. Note, all category listings are by no means exhaustive or complete. Rather, they are meant to highlight a selection of collections that could be of value or interest to researchers investigating history related to women in the Austin/Travis County area.

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Austin Water	Sherri Hampton	Austin Water Women's Professional Development Network	2014	Women led group focusing on networking, communication and professional development of women. Meets quarterly, includes women speakers from City Departments, female ACMs and female City Council members discussing career advancement. Meetings have included sessions on resume writing, interview tips and how to fill out a City employment application.
Department of Aviation	Cory Hurles	ABIA Art Program: Exhibits of Women Contemporary Artists	Summer of 2017	Display exhibits of art designed/drawn by Austin women contemporary artists.
Department of Aviation	Karen Arnold	Texas Women Conference Ticket Purchase	July, 2013	The Department purchases tickets for all Aviation women employees that are interested in attending the annual Texas Women Conference in an effort to encourage Aviation women to participate in the conference.
Department of Aviation	Susana Carbajal	Women in Aviation Speaker Series	Anticipated Start Date is Fall of 2017	This program invites women that are in the Aviation industry to speak on topics that are beneficial to other Aviation professionals.
Financial Services – Capital Contracting Office (CCO)	Rolando Fernandez, Interim Capital Contracting Officer	Contractor/Consultant Community Outreach and Education	2009 to current	CCO routinely works with the contracting and consulting community in an effort to encourage Minority-Owned and Women-Owned Business Enterprises (MBE/WBEs) to bid on City capital improvement contracts. CCO holds educational sessions on a regular basis, as well as partners with the Small & Minority Business Resources Department (SMBR), to educate minority/women-owned firms on prime contracting and subcontracting opportunities, and disseminates information on CCO contracting processes, which include the Consultant Rate Review process, professional services qualifications-based selection, and construction prevailing wage compliance.
Human Resources	Rodney Crain	Hiring, Promotions and Lateral Transfers Procedures	2014	Procedures provide guidance to hiring managers to utilize consistent and fair processes in hiring and selection for competitive positions; this is also in accordance with the City's Municipal Civil Service Rules.

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Human Resources	Rodney Crain	Internship Programs	in development	HRD recruitment initiatives include targeting women and communities of color at various colleges and universities for internships in various departments.
Human Resources-Compensation	Joya Hayes; Debbie Maynor; Bryan Dore	Pay Disparities Report completed annually and reported to Council	March 20, 2014 to current	Resolution 20140320-053 directed the City Manager to produce an annual report to Council analyzing the City's compensation practices to ensure employees are paid based on lawful criteria rather than gender and other protected statuses. This report has been produced annually beginning in 2014. In 2016, this report was created by a third-party, who met with departments in which potential disparity issues were identified to explain the data, determine if there are in fact issues to address, and to discuss high-level solutions.
Human Resources-Organization Development	Sheila Balog, OD Manager	City Wide Training Initiative/Through the Looking Glass	Currently in development (2017); For implementation in FY 18	Program goal: to raise awareness of the bias that may exist in individuals that may impact decisions related to hiring, promotions, discipline, development and other aspects of our work environment.
Parks and Recreation	Amanda Ross, Division Manager, Natural Resources Division	Art-chery activity in conjunction with the "Dirt Diva" program	March-April 2017	Although the "Dirt Diva" program is sponsored by the Camacho Activity Center, female Rangers and Cadets of PARD assisted with the program by leading an activity called Art-chery, in which female participants learned about archery. The activity also incorporated elements of art education and themes of setting and aiming for goals. The female Rangers and Cadets also offered insight into career opportunities working as female Park Rangers and Cadets at PARD. Dirt Divas is a program designed for the female youth of our community and introduces them to outdoor recreation, community service projects, environmental education, and leadership and confidence building activities.

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Parks and Recreation	Amanda Ross, Division Manager, Natural Resources Division	Junior Cadet Program	To begin August 2017	Collaborative effort between Bertha Sadler Means Young Women's Leadership Academy and the City of Austin Park Ranger Division. Park Rangers support the school's mission to foster a sisterhood environment to develop confident, academically prepared, service-minded, and innovative young women leaders for success in college, career, and life.
Parks and Recreation	Amanda Ross, Division Manager, Natural Resources Division	Park Ranger Cadet Program	August 2016-Present	The program has a specific focus on Women in Outdoor Leadership, to support female cadets even more so to develop confidence, provide extra opportunities, and empower them to continue to work in a male-dominated field. The mission of the Park Ranger Cadet Program is to introduce cadets to a variety of experiences: land management, ecology, natural resources, recreation programming, sustainability, education and outreach
Public Works	Jorge Morales, P.E., Assistant Director	Pathway Partnership	2012 to current	The City of Austin Public Works Department partners with the Ann Richards School, a public, all-girls college preparatory school serving grades 6 through 12. The Pathway Partnership program is a well-defined, short term experiential learning opportunity for 11 th grade students that provide real world experience in the fields of Science, Technology, Engineering and Math (STEM). On an annual basis, the Public Works Department provides a structured one week internship program that includes a "pre-employment" interview, are assigned a specific engineering or architectural project, and complete their internship with a presentation on their project to a panel of City professionals in the field. The internship program objectives are to develop professional skills and provide career awareness and promote young women's interest in the fields of engineering and architecture.

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Public Works	Shelly Sheppard, Human Resources Manager	Texas Conference for Women	2015 to current	The City of Austin Public Works Department promotes women's leadership development through sponsoring non-managerial women's participation in the Texas Conference for Women. Each year the Department purchases a table for 10 participants who have not previously attended the conference. Employees interested in participating may apply by submitting a written statement regarding how the conference will benefit them with workplace challenges and future career goals. After attending the conference, participants are given an opportunity work with the other participants to create a presentation for the PWD Executive Team. Conference attendee "alumni" who participated in previous years are given the opportunity to attend future conferences as individual participants, if funding is available.
Telecommunications & Regulatory Affairs	Rondella Hawkins, TARA Officer; John Speirs, Digital Inclusion Program Manager	Grant for Technology Opportunities Program (GTOPs)	July 1, 2017 to June 30, 2018	Latinitas was awarded \$23,500 for Gigabit Girls. Leveraging Latinitas' place as the only girl empowerment organization of its kind providing programs in Austin public housing, its longtime relationship with Austin's public library system (15 years, 7 library campuses, 420+ workshops) and a new curriculum developed in a partnership with Google's Community Leaders program and funding from the Mozilla Foundation, Latinitas will launch Gigabit Girls, a new thread of programming focused on virtual reality design for Austin's most economically marginalized students. The "Gigabit" in the program name refers to maximizing the city's new high-speed fiber access hubs at certain public housing sites and soon, East Side libraries, where Latinitas lives. Program Participant Metrics: Percent of attendees that report they learned basic coding tools; Percent that said they would try what they learned at Code Chica again on their own; percent that learned about a new career in technology; and percent that felt confident in their code writing skills after Code Chica.

Exhibit G

City of Austin Equity Assessment Tool (DRAFT)



City of Austin Equity Assessment Tool (DRAFT)

INTRODUCTION

The vision of the City of Austin is to make Austin the most livable city for ALL. The mission of the City of Austin Equity Office is to provide leadership, guidance, and insight on equity to improve the quality of life for Austinites. In order to achieve this vision, institutions need formal tools to closely examine policies, practices, budget allocations, and programs that perpetuate institutional racism and systemic inequities. The Equity Assessment Tool lays out a process and a set of questions to guide city departments in the development, implementation and evaluation of policies, practices, budget allocations, and programs to begin to address their impacts on equity.

Equity is defined as _____. The Equity Assessment Tool leads with race, as it is the primary predictor of access, outcomes, and opportunities for all quality of life indicators. By focusing on racial equity, this tool introduces a framework that can be applied to additional marginalized social identities which intersect with racial identity including age, religion, gender identity, sexual orientation, and ability. The Equity Assessment Tool systematically integrates purposeful consideration to ensure budget and planning decisions reduce disparities, promote service level equity, and improve community engagement.

BACKGROUND

Austin has a long history of systemic racism and racial inequity that continues today. From the city's origins, African Americans and other communities of color were excluded, marginalized and discriminated against as a result of city policies and practices. This history was reinforced by segregationist policies throughout the 20th century affecting a range of Austin venues, including schools, public parks, and commercial businesses, among others. One of the most disheartening chapters of this legacy was the City of Austin's Master Plan of 1928, which divided the City along racial lines by moving community services for African American and Hispanic/Latinx residents to East Austin. African-American and Hispanic Austinites who tried to settle in areas outside of the designated district were often denied services such as utilities and access to public schools. People of color were told that if they wanted access to essential services, they had to live in the designated areas. Despite these challenges, communities of color in Austin thrived and developed strong, close knit, and vibrant communities.

While Austin was most recently recognized by US News and World Report as "The Best Place to Live in the U.S.," (citation needed), the City consistently makes national lists as a city with severe inequality. In 1950, Austin was fourth in the country for the most income inequality. In 2015, the Martin Prosperity Institute listed Austin as the most economically segregated city in the country (citation needed). Legacies of displacement by wealthier white Austinites and lack of access to opportunity for people of color have marked the city with continued racial disparities. For more historical context, see Appendix A.

In an effort to address racial inequity in Austin, City Council passed Resolution No. 20150507-027 in May of 2015, which directed the City Manager to evaluate the impact of existing city policies and practices on racial equity and develop an Equity Assessment Tool that can be used across City departments during the budget process. The Council's goal is to utilize the Equity Assessment Tool and implement new policies, practices, and programs to

help identify and address the inequities that impact the quality of life for low-income communities in Austin, which are disproportionately communities of color.

When fully implemented, the Equity Assessment Tool will aid City of Austin departments in:

- Focusing on human centered design and building institutional empathy;
- Engaging—residents in decision-making processes, prioritizing those adversely affected by current conditions;
- Bringing conscious attention to racial inequities and unintended consequences before decisions are made;
- Advancing opportunities for the improvement of outcomes for historically marginalized communities;
- Removing barriers to the improvement of outcomes for historically marginalized communities; and
- Affirming our commitment to equity, inclusion, and diversity.

INSTRUCTIONS

This tool should be completed annually by department leadership and financial staff as you craft your budget proposals and business plans for the following fiscal year.

Please refer to the following seven steps for building racial equity, provided by GARE, as you complete this tool:

1. **Know the History:** Consider historical events that have negatively impacted communities of color. Acknowledge them and create space for communities to share as to not repeat the same mistakes.
2. **Develop the Proposal:** What is the policy, program, practice or budget decision under consideration? What are the desired results and outcomes?
3. **Monitor Data:** What are the data? What do the data tell us? Are they disaggregated by race?
4. **Engage the Community:** How have communities been engaged? Are there opportunities to expand engagement?
5. **Analysis and strategies:** Who will benefit from or be burdened by your proposal? What are your strategies for advancing racial equity or mitigating unintended consequences?
6. **Implementation:** What is your plan for implementation?
7. **Accountability and Communication:** How will you ensure accountability, communicate, and evaluate results?

SECTION ONE: DEPARTMENTAL ANALYSIS

1. What are your department's greatest equity priorities?
2. How does your department measure the effectiveness of its racial equity programs?
3. What strategies does your department employ to ensure departmental policies, practices, and programs do not adversely impact communities of color?
4. What is the racial breakdown of your department's client base?
5. What is the racial makeup of your department's staff? (Your HR representative can provide this information.)
6. What is the racial makeup of your department's contractors and consultants?
7. What are your department's strategies for ensuring diversity of your staff?
8. What dollar amount and percentage of your department's budget is allocated towards expanding diversity amongst your staff?
9. What dollar amount and percentage of your department's training budget is allocated towards training opportunities for staff that focus on critical issues related to equity and the elimination of institutional racism?
 - a. Please list those training opportunities.
 - b. In what ways are your staff on-boarded or oriented to historical and current racial inequity?
 - c. How does your department measure the effectiveness of its equity and institutional racism trainings?
10. What dollar amount and percentage of your department's budget is allocated towards capturing residents' satisfaction with programming and services?
 - a. Are these data broken down by race, ethnicity, gender, national origin, and income level? Please provide an attachment of your most recent resident's satisfaction report.
11. How is your department collaborating with other City departments to achieve racial equity in Austin?

SECTION TWO: BUDGET

1. Identify ways in which your department pursues racial equity throughout budget planning.
2. Identify specific realignments in your department's base budget that could advance racial equity for communities of color.
3. Describe an unmet need within your budget that inhibits your department's achievement of its greatest equity priorities.
4. What dollar amount and percentage of your budget is grant funding that supports programs or services designed to advance equity for communities of color?
5. How have you involved internal and external stakeholders, including marginalized communities of color, in your department's budget process? What amount and percentage of your department's budget is allocated towards this process?
6. Identify ways in which your department's budget may disproportionately benefit some communities over others.
7. Identify ways in which your department's budget may disproportionately burden or marginalize some communities over others.
8. What is the proportion of your department's budget in relation to the City's general fund budget?

SECTION THREE: ENGAGEMENT

1. Please list all opportunities your department offers residents to provide recommendations on programs, policies, and/or plans.

Funds allocated for this process and percent of base budget: _____

2. Does your department translate public documents, policies, applications, notices, and hearings for persons with limited English proficiency or visual/hearing impairments? What dollar amount and percentage of your base budget is allocated towards this process? (Feel free to copy from your department's Language Access Plan.)
 - Please describe how your department determines which public documents, policies, applications, notices, and hearings are translated for persons with limited English proficiency or visual/hearing impairments.
 - List all languages into which public documents, policies, applications, notices, and hearings are translated for limited English speaking populations.

3. Please describe how your department verifies the reading level of public documents, policies, applications, notices, and hearings.
4. What dollar amount and percentage of your department's budget is allocated towards ensuring that public documents, policies, applications, notices, and hearings are concise, understandable, and readily accessible to the public?
 - Please describe your department's process for determining if public documents, policies, applications, notices, and hearings are concise, understandable, and readily accessible to the public.
 - Please describe by what means your department makes public documents, policies, applications, notices, and hearings more concise, understandable, and readily accessible to the public.
5. What dollar amount and percentage of your department's base budget is allocated towards holding public meetings for the purpose of fact-finding, receiving public comments, and conducting inquiries?
 - Please describe your department's process for determining when public meetings for the purpose of fact-finding, receiving public comments, and conducting inquiries are appropriate.
 - Please describe what accommodations are made so that community members may meaningfully participate:
 - ☐ Food is provided
 - ☐ Supervised children's activities are provided
 - ☐ ASL is provided
 - ☐ Translation or interpretation provided in (please specify languages):
 - ☐ _____
 - ☐ _____
 - ☐ _____
 - ☐ _____
 - ☐ Transportation is made available for community members with mobility issues
 - ☐ Location selected to be accessible to target community(s)
 - ☐ Other: _____
6. Please list your department's community engagement events/activities for the past fiscal year.
7. What other strategies does your department employ to ensure accountability to communities of color in its planning process? (e.g., improved leadership opportunities, advisory committees, commissions, targeted community meetings, stakeholder groups, focus groups, increased outreach, stipended participation, etc.)
8. At what stage in your decision making process do you engage the community?

9. How many community members does your department engage annually?
10. What are the demographics of the community members you engage?
11. Does your department collect feedback to evaluate the effectiveness of community engagement efforts?
If so, how?
12. What are you doing to understand the lived experiences of members marginalized communities?
 - ☐ Applying for your department's services
 - ☐ Participating in simulated training experience
 - ☐ Focus groups with clients
 - ☐ Other: _____

SECTION FOUR: ALIGNMENT (with Council's Six Proposed Priority Outcomes)

Austin City Council has proposed the following six priority outcomes to guide the City:

- Economic Opportunity and Affordability: Having economic opportunities and resources that enable residents to lead sustainable lives in their communities.
 - Mobility: Getting where and when they want to go safely and cost-effectively
 - Safety: Being safe in our home, at work, and in their communities
 - Health: Being able to maintain a healthy life both physically and mentally
 - Cultural and Learning Opportunities: Being enriched by Austin's unique civic, cultural, ethnic, and learning opportunities
 - Government that Works: Believing that City government works for everyone: that is fair and equitable; serves as a good, continuously improving and innovating steward of its resources; recruits and retains a high performing, ethical workforce; effectively collaborates with the public; and delivers the results people expect and an experience they welcome.
1. Please identify all the ways that your department's proposed budget and planning have the potential to positively impact racial equity in one or more of Council's six priority areas.

Appendix A: History

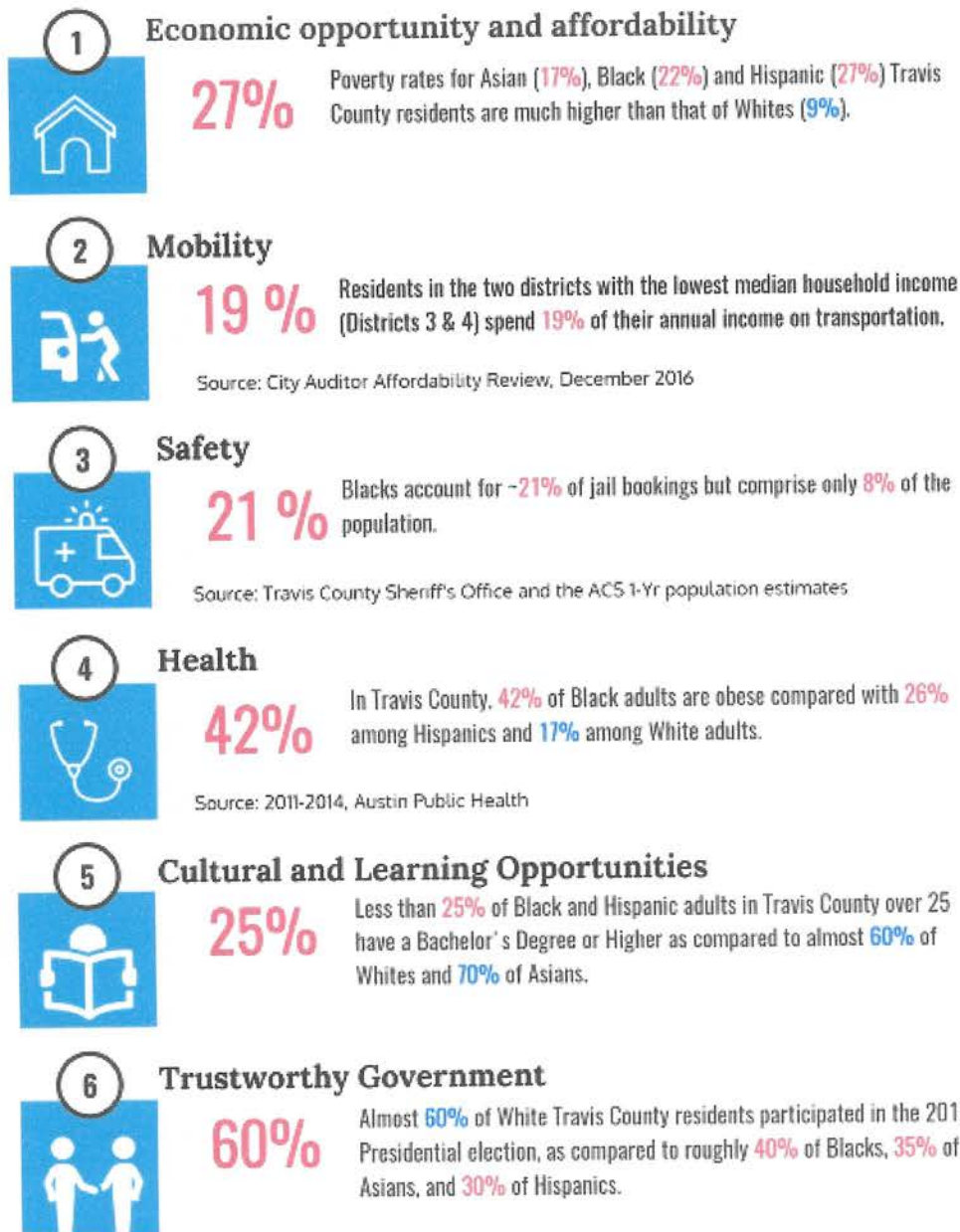
To know where we are going, we must first know where we have been. Learning about past inequities and social justice issues in our community can prevent repeating the same mistakes.

Learn More about Austin's Racial History:

- [Austin- A "Family-Friendly" City: Perspectives and Solutions from Mothers in the City. \(2015\)](#)
- [Link to full Master Plan of 1928](#) (the "Koch Proposal") which formally and legally segregated the City by only providing essential city services (utilities, education, paved roads) to people of color in areas east of what is now I-35.
- ["How East Austin Became a Negro district"](#) (East End Cultural Heritage District)
- [East Austin Gentrification Overview](#) (East End Cultural Heritage District)
- ["Austin: A Liberal Oasis?"](#), a slide presentation by Undoing White Supremacy Austin, presenting a brief overview of the history of institutional racism in Austin ([document format](#))
- [Shadows of a Sunbelt City \(Dr. Eliot Tretter, 2016, University of Georgia Press\)](#) Planning for displacement. The partnership between UTA, the state and federal governments, and the real estate industry and its dominance over City planning and economic development. In particular, Chapter 6 ("The Past is Prologue") describes how the City's legal and administrative policies, in conjunction with private zoning deed restrictions, codified institutional racism. [Interview with Dr. Tretter](#)
- [Austin Restricted: Progressivism, Zoning, Private Racial Covenants, and the Making of a Segregated City](#) (Tretter, Sounny-Slitine, Final Report to the Institute for Urban Policy Research and Analysis, 2012)
- [Austin Gentrification Maps](#) (making visible one of the effects of COA policy and practice)
- [Inheriting Inequality](#) (maps of the history of the racial divide in Austin)
- [Crossing Over: Sustainability, New Urbanism, and Gentrification in Austin, Texas](#) (the downside of the "new urbanist" movement)

Appendix B: Proposed City Council Priorities Infographic

6 Austin City Council Priority Outcomes and Existing Disparities



Data Source: American Community Survey, 1 Year Estimates unless noted otherwise

Appendix C: Glossary of Terms

SOURCE: <http://racialequitytools.org/glossary>

Discrimination - The unequal treatment of members of various groups based on race, gender, social class, sexual orientation, physical ability, religion and other categories.

Diversity - Diversity includes all the ways in which people differ, and it encompasses all the different characteristics that make one individual or group different from another. It is all-inclusive and recognizes everyone and every group as part of the diversity that should be valued. A broad definition includes not only race, ethnicity, and gender — the groups that most often come to mind when the term "diversity" is used — but also age, national origin, religion, disability, sexual orientation, socioeconomic status, education, marital status, language, and physical appearance. It also involves different ideas, perspectives, and values.

Ethnicity - A social construct that divides people into smaller social groups based on characteristics such as shared sense of group membership, values, behavioral patterns, language, political and economic interests, history and ancestral geographical base.

Equity

Implicit bias - Also known as unconscious or hidden bias, implicit biases are negative associations that people unknowingly hold. They are expressed automatically, without conscious awareness. Many studies have indicated that implicit biases affect individuals' attitudes and actions, thus creating real-world implications, even though individuals may not even be aware that those biases exist within themselves. Notably, implicit biases have been shown to trump individuals' stated commitments to equality and fairness, thereby producing behavior that diverges from the explicit attitudes that many people profess. The Implicit Association Test (IAT) is often used to measure implicit biases with regard to race, gender, sexual orientation, age, religion, and other topics.

Inclusion - Authentically bringing traditionally excluded individuals and/or groups into processes, activities, and decision/policy making in a way that shares power.

Institutional racism - Institutional racism refers specifically to the ways in which institutional policies and practices create different outcomes for different racial groups. The institutional policies may never mention any racial group, but their effect is to create advantages for whites and oppression and disadvantage for people from groups classified as people of color.

Intersectionality - An approach largely advanced by women of color, arguing that classifications such as gender, race, class, and others cannot be examined in isolation from one another; they interact and intersect in individuals' lives, in society, in social systems, and are mutually constitutive.

Oppression - Systemic devaluing, undermining, marginalizing, and disadvantaging of certain social identities in contrast to the privileged norm; when some people are denied something of value, while others have ready access.

Power - Power is unequally distributed globally and in U.S. society; some individuals or groups wield greater power than others, thereby allowing them greater access and control over resources. Wealth, whiteness, citizenship, patriarchy, heterosexism, and education are a few key social mechanisms through which power operates. Although power is often conceptualized as power over other individuals or groups, other variations are power with (used in the context of building collective strength) and power within (which references an individual's internal strength). Learning to "see" and understand relations of power is vital to organizing for progressive social change.

Prejudice - A pre-judgment or unjustifiable, and usually negative, attitude of one type of individual or groups toward another group and its members. Such negative attitudes are typically based on unsupported generalizations (or stereotypes) that deny the right of individual members of certain groups to be recognized and treated as individuals with individual characteristics.

Privilege - Unearned social power accorded by the formal and informal institutions of society to ALL members of a dominant group (e.g. white privilege, male privilege, etc.). Privilege is usually invisible to those who have it because we're taught not to see it, but nevertheless it puts them at an advantage over those who do not have it.

Race - A political construction created to concentrate power with white people and legitimize dominance over non-white people.

Racial and ethnic identity - An individual's awareness and experience of being a member of a racial and ethnic group; the racial and ethnic categories that an individual chooses to describe him or herself based on such factors as biological heritage, physical appearance, cultural affiliation, early socialization, and personal experience.

Racism - For purposes of this site, we want users to know we are using the term "racism" specifically to refer to individual, cultural, institutional and systemic ways by which differential consequences are created for groups historically or currently defined as white being advantaged, and groups historically or currently defined as non-white (African, Asian, Hispanic, Native American, etc.) as disadvantaged.

Structural racism - The normalization and legitimization of an array of dynamics – historical, cultural, institutional and interpersonal – that routinely advantage Whites while producing cumulative and chronic adverse outcomes for people of color. Structural racism encompasses the entire system of White domination, diffused and infused in all aspects of society including its history, culture, politics, economics and entire social fabric. Structural racism is more difficult to locate in a particular institution because it involves the reinforcing effects of multiple institutions and cultural norms, past and present, continually reproducing old and producing new forms of racism. Structural racism is the most profound and pervasive form of racism – all other forms of racism emerge from structural racism.

White privilege - Refers to the unquestioned and unearned set of advantages, entitlements, benefits and choices bestowed on people solely because they are white. Generally white people who experience such privilege do so without being conscious of it.

Exhibit H

Cities for CEDAW: Status of Local Activities



Cities with CEDAW Ordinance¹

City/County/State	State
San Francisco	California
Berkeley	California
Cincinnati	Ohio
Honolulu	Hawaii
Los Angeles	California
Miami-Dade County	Florida
Pittsburgh	Pennsylvania

Cities with CEDAW Resolution²

City/County/State	State
Boulder	Colorado
Contra Costa County	California
Daly City	California
Durham	North Carolina
Edina	Minnesota
Eugene	Oregon
Kansas City	Missouri
Kentucky ³	Kentucky
Lafayette	Colorado
Long Beach	California
Louisville	Colorado
Louisville	Kentucky
Minneapolis	Minnesota
Mount Vernon	New York
New Orleans	Louisiana
Pittsburg	California
Richfield	Minnesota
Salt Lake City	Utah
Santa Monica	California
St. Paul	Minnesota
St. Petersburg	Florida
Tampa	Florida
University City	Missouri
West Hollywood	California

Cities Exploring Possible CEDAW Ordinance or Resolution⁴

City/County/State	State
Ashland	Oregon
Boston	Massachusetts
Burbank	California
Denver	Colorado

Cities for CEDAW: Status of Local Activities



Erie	Colorado
Fairfax	Virginia
Golden	Colorado
Greeley	Colorado
Juneau	Alaska
Lafayette	Colorado
Laguna Woods	California
Longmont	Colorado
Monrovia	California
New York	New York
Orange County	California
Palo Alto	California
Philadelphia	Pennsylvania
Phoenix	Arizona
Portland	Oregon
Radford	Virginia
Raleigh	North Carolina
Rapid City	South Dakota
Richmond	California
Santa Clara County (San Jose)	California
Sarasota	Florida
Tacoma	Washington
Tempe	Arizona
Tolleson	Arizona
Washington, D.C.	District of Columbia
Westminster	Colorado
Ypsilanti	Michigan

¹ For further information on Cities for CEDAW, please visit citiesforcedaw.org

² These cities have adopted a resolution affirming support for the principles of CEDAW, or have one pending.

³ Note: this was passed by the Kentucky House of Representatives. There is no similar resolution in the State Senate.

⁴ These include cities that have begun organizing Cities for CEDAW activity (e.g., forming coalitions of civil society organizations; meeting with city council members), but have not yet formally introduced a resolution or ordinance.

Exhibit I

LOCAL IMPLEMENTATION OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

The City of [CITY NAME] hereby finds and declares as follows:

(a) The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), an international human rights treaty, provides a universal definition of discrimination against women and brings attention to a whole range of issues concerning women's human rights. Countries that ratify CEDAW are mandated to condemn all forms of discrimination against women and girls and to ensure equality for women and girls in the civil, political, economic, social and cultural arenas. The United Nations General Assembly adopted CEDAW in 1979 and President Carter signed the treaty on behalf of the United States in 1980, but the United States Senate has not yet ratified CEDAW.

(b) Since 1995, state and local jurisdictions have stepped up and passed resolutions in support of CEDAW. Some have implemented ordinances establishing CEDAW principles as law. In 2014, municipalities across the nation began signing onto the Cities for CEDAW Initiative, pledging to step up where the federal government has failed and implement the principles of CEDAW at the local level.

(c) Indeed, there is a continued need for the City of [CITY NAME] to protect the human rights of women and girls by addressing discrimination, including violence, against them and to implement, locally, the principles of CEDAW. Adherence to the principles of CEDAW on the local level will especially promote equal access to and equity in health care, employment, economic development and educational opportunities for women and girls and will also address the continuing and critical problems of violence against women and girls. There is a need to analyze the operations of City departments, policies and programs to identify discrimination in, but not limited to, employment practices, budget allocation and the provision of direct and indirect services and, if identified, to remedy that discrimination. In addition, there is a need to work toward implementing the principles of CEDAW in the private sector.

(d) There is a need to strengthen effective national and local mechanisms, institutions and procedures and to provide adequate resources, commitment and authority to: (1) advise on the impact of all government policies on women and girls; (2) monitor the situation of women comprehensively in recognition of the interconnectedness of discrimination based on gender, race and other social criteria; and (3) help formulate new policies and effectively carry out strategies and measures to eliminate discrimination. The [OVERSIGHT BODY NAME] shall be designated as the implementing and monitoring agency of CEDAW in the City of [CITY NAME].

DEFINITIONS.

As used in this Article, the following words and phrases shall have the meanings indicated herein:

- (a) "City" shall mean the City of [CITY NAME].
- (b) [DEFINE NAME OF OVERSIGHT BODY].
- (c) "Disaggregated data" shall mean information collected and analyzed by enumerated categories in order to identify the disparities existing between women and men. These categories shall include, to the extent permitted by law, sex, race, immigration status, parental status, language, sexual orientation, disability, age and other attributes.

(d) "Discrimination against women" shall include, but not be limited to, any distinction, exclusion or restriction made on the basis of sex that has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. The definition of discrimination includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty by family, community or government.

(e) "Gender" shall mean the way society constructs the difference between women and men, focusing on their different roles, responsibilities, opportunities and needs, rather than their biological differences.

(f) "Gender analysis" shall mean an examination of the cultural, economic, social, civil, legal and political relations between women and men within a certain entity, recognizing that women and men have different social roles, responsibilities, opportunities and needs and that these differences, which permeate our society, affect how decisions and policy are made.

(g) "Gender equity" shall mean the redress of discriminatory practices and establishment of conditions enabling women to achieve full equality with men, recognizing that needs of women and men may differ, resulting in fair and equitable outcomes for both.

(h) "Human rights" shall mean the rights every individual possesses that are intended to improve the conditions in society that protect each person's dignity and well-being and the humanity of all people.

(i) "Racial discrimination" shall mean any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

LOCAL PRINCIPLES OF CEDAW.

It shall be the goal of the City to implement the principles underlying CEDAW by addressing discrimination against women and girls in areas including economic development, violence against women and girls and health care. In implementing CEDAW, the City recognizes the connection between racial discrimination, as articulated in the International Convention on the Elimination of All Forms of Racial Discrimination, and discrimination against women. The City shall ensure that the City does not discriminate against women in areas including employment practices, allocation of funding and delivery of direct and indirect services. The City shall conduct gender analyses, to determine what, if any, City practices and policies should change to implement the principles of CEDAW.

(a) Economic Development.

(1) The City shall take all appropriate measures to eliminate discrimination against women and girls in the City of [CITY NAME] in employment and other economic opportunities, including, but not limited to, ensuring:

(A) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment and the right to receive access to and vocational training for nontraditional jobs;

(B) The right to promotion, job security and all benefits and conditions of service, regardless of parental status, particularly encouraging the appointment of women to decision

making posts, City revenue generating and managing commissions and departments, and judicial positions;

(C) The right to equal remuneration, including benefits and to equal pay in respect to work of equal value;

(D) The right to the protection of health and safety in working conditions, including supporting efforts not to purchase sweatshop goods, regular inspection of work premises, and protection from violent acts at the workplace.

(2) The City shall encourage and, where possible, fund the provisions of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child care facilities, paid family leave, family-friendly policies and work-life balance.

(3) The City shall encourage the use of public education and all other available means to urge financial institutions to facilitate women's access to bank accounts, loans, mortgages, and other forms of financial services.

(b) Violence Against Women and Girls.

(1) The City shall take and diligently pursue all appropriate measures to prevent and redress sexual and domestic violence against women and girls, including, but not limited to:

(A) Police enforcement of criminal penalties and civil remedies, when appropriate;

(B) Providing appropriate protective and support services for survivors, including counseling and rehabilitation programs;

(C) Providing gender-sensitive training of City employees regarding violence against women and girls, where appropriate; and

(D) Providing rehabilitation programs for perpetrators of violence against women or girls, where appropriate.

The City shall not discriminate on the basis of race, ethnicity, culture, language or sexual orientation, when providing the above supportive services.

(2) It shall be the goal of the City to take all necessary measures to protect women and girls from sexual harassment in their places of employment, school, public transportation, and any other places where they may be subject to harassment. Such protection shall include streamlined and rapid investigation of complaints.

(3) Prostitutes are especially vulnerable to violence because their legal status tends to marginalize them. It shall be the policy of [CITY NAME] that the Police Department diligently investigate violent attacks against prostitutes and take efforts to establish the level of coercion involved in the prostitution, in particular where there is evidence of trafficking in women and girls. It shall be the goal of the City to develop and fund projects to help prostitutes who have been subject to violence and to prevent such acts.

(4) The City shall ensure that all public works projects include measures, such as adequate lighting, to protect the safety of women and girls.

(5) It shall be the goal of the City to fund public information and education programs to change traditional attitudes concerning the roles and status of women and men.

(c) Health Care.

(1) It shall be the goal of the City to take all appropriate measures to eliminate discrimination against women and girls in the field of health care in order to ensure, on a basis of equity, information about and access to adequate health care facilities and services, according to the needs

of all communities, regardless of race, ethnicity, culture, language, and sexual orientation, including information, counseling and services in family planning.

(2) It shall be the goal of the City to ensure that women and girls receive appropriate services in connection with prenatal care, delivery, and the post-natal period, granting free services where possible, as well as adequate nutrition during pregnancy and lactation.

(d) In undertaking the enforcement of this ordinance, the City is assuming an undertaking only to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation for breach of which it is liable in money damages to any person who claims that such breach proximately caused injury.

IMPLEMENTATION OF THE PRINCIPLES OF CEDAW IN [CITY NAME].

(a) **Citywide integration of human rights principles.** The City shall work towards integrating gender equity and human rights principles into all of its operations, including policy, program and budgetary decision-making. [OVERSIGHT BODY NAME] shall train selected departments in human rights with a gender perspective.

(b) **Gender Analysis and Action Plan.** As a tool for determining whether the City is implementing the local principles of CEDAW and/or discriminating against women and girls, selected City departments, programs, policies, and private entities to the extent permitted by law, shall undergo a gender analysis and develop an Action Plan. The gender analysis shall be conducted according to guidelines developed by the [OVERSIGHT BODY NAME]. The gender analysis shall include: (i) the collection of disaggregated data; (ii) an evaluation of gender equity in the entity's operations, including its budget allocations, delivery of direct and indirect services and employment practices and (iii) the entity's integration of human rights principles and the local principles of CEDAW. Upon completion of the gender analysis, the entity shall develop an Action Plan that contains specific recommendations on how it will correct any identified deficiencies and integrate human rights principles and the local principles of CEDAW into its operations.

(1) The [OVERSIGHT BODY NAME] shall identify the City departments, programs, policies, and entities, to undergo the gender analysis and shall develop timelines for completion of the analyses and Action Plans.

(2) The [OVERSIGHT BODY NAME] shall train the selected department, entity, policy or program staff to conduct its gender analysis and shall provide technical assistance to the entity throughout the gender analysis process and development of the Action Plan.

(3) Each department or entity undergoing a gender analysis shall designate a management and/or executive level employee to serve as a liaison to the [OVERSIGHT BODY NAME] and to coordinate the completion of the gender analysis.

(4) Each department or entity undergoing a gender analysis shall provide a report on its gender analysis and its Action Plan to [OVERSIGHT BODY NAME], which shall review, analyze and comment on the report and forward it to the Board of Supervisors and the Mayor.

(5) [OVERSIGHT BODY NAME] shall monitor the implementation of each department or entity's Action Plan.

(c) **Five-year Citywide Action Plan.** Provided sufficient funds are available, [OVERSIGHT BODY NAME] shall develop a five-year Citywide Action Plan. The Citywide Action Plan shall address how to integrate human rights principles into the City's operations, how to further implement the local principles of CEDAW, any and all deficiencies found in the gender analyses and the measures recommended to correct those deficiencies. [OVERSIGHT BODY NAME] shall

present the Action Plan to the Mayor. [OVERSIGHT BODY NAME] shall monitor the implementation of the Citywide Action Plan.

CEDAW [OVERSIGHT BODY NAME].

(a) **Establishment.** A [OVERSIGHT BODY NAME] is hereby established. [OVERSIGHT BODY NAME] shall report to the Mayor. [OVERSIGHT BODY NAME] shall consist of [#] members.

(b) **Purpose.** [OVERSIGHT BODY NAME] is established to advise the Mayor about the local implementation of CEDAW.

(c) **Powers and Duties.** [OVERSIGHT BODY NAME] shall have all powers and duties necessary to carry out the local implementation of CEDAW.

(d) **Membership and Organization.**

(1) The members of [OVERSIGHT BODY NAME] shall be as follows:

(A) The President of the [HUMAN RIGHTS COMMISSION OR SIMILAR BODY] or her or his designee;

(B) A staff member from the Mayor's Office knowledgeable about the City's budget, to be designated by the Mayor;

(C) The head of the Department of Human Resources or her or his designee;

(D) Six members from the community to be appointed by [OVERSIGHT BODY NAME], as follows:

(i) Two representatives shall work in the field of international human rights and be knowledgeable about CEDAW,

(ii) One representative shall be knowledgeable about economic development, including employment issues,

(iii) One representative shall be knowledgeable about health care issues,

(iv) One representative shall be knowledgeable about violence against women, and

(v) One representative shall be knowledgeable about City unions and experienced in women's issues.

(2) [OVERSIGHT BODY NAME] shall convene by [DATE].

(3) All appointed members of [OVERSIGHT BODY NAME] shall serve at the pleasure of their appointing authorities. The term of each community member of [OVERSIGHT BODY NAME] shall be for [#] years.

(e) **Alternate members.** An alternate may be designated for each member. The term of office of the alternate shall be the same as that of the regular member. When the regular member is not present at the meeting of [OVERSIGHT BODY NAME], the alternate may act as the regular member and shall have all the rights, privileges, and responsibilities of the regular member.

(f) **Attendance requirement.** In the event that any community member and her or his alternate miss three regularly scheduled meetings of [OVERSIGHT BODY NAME] without the prior notice to [OVERSIGHT BODY NAME], the President or her or his designee shall certify in writing to the Mayor that the member and alternate have missed three meetings. On the date of such certification, the member and alternate shall be deemed to have resigned from [OVERSIGHT BODY NAME]. The President or her or his designee shall then request the appointment of a new member and alternate.

SUMMARY OF CEDAW.

Article 1: Defines discrimination against women as any "distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of marital status, on the basis of equality between men and women, of human rights or fundamental freedom in the political, economic, social, cultural, civil, or any other field."

Article 2. Mandates concrete steps, implementing laws, policies and practices to eliminate discrimination against women and embody the principle of equality.

Article 3. Requires action in all fields political, economic, social, and cultural to advance the human rights of women.

Article 4. Permits affirmative action measures to accelerate equality and eliminate discrimination.

Article 5. Recognizes the role of culture and tradition, and calls for the elimination of sex role stereotyping.

Article 6. Requires suppression of traffic in women and exploitation of prostitutes.

Article 7. Mandates ending discrimination against women in political and public life.

Article 8. Requires action to allow women to represent their governments internationally on an equal basis with men.

Article 9. Mandates that women will have equal rights with men to acquire, change or retain their nationality and that of their children.

Article 10. Obligates equal access to all fields of education and the elimination of stereotyped concepts of the roles of men and women.

Article 11. Mandates the end of discrimination in the field of employment and recognizes the right to work as a human right.

Article 12. Requires steps to eliminate discrimination from the field of health care, including access to family planning. If necessary, these services must be free of charge.

Article 13. Requires that women be ensured equal access to family benefits, bank loans, credit, sports and cultural life.

Article 14. Focuses on the particular problems faced by rural women.

Article 15. Guarantees equality before the law and equal access to administer property.

Article 16. Requires steps to ensure equality in marriage and family relations.

Article 17. Calls for the establishment of a committee to evaluate the progress of the implementation of CEDAW .

Articles 18. Sets forth elements of the operation of the treaty.

Exhibit J

City facilities in an amount not to exceed \$4,875,000. Did TIBH Industries, Inc bid on item 22? 2) Who had the previous contract and what were the general terms? 3) Did the previous contract include conditions regarding the City's Climate Protection? 4) Has the City received any complaints from MBE/WBE regarding not being able to bid, or not bidding due to the City's Climate Protection initiatives? COUNCIL MEMBER ZIMMERMAN'S OFFICE

b. ANSWER: See attachment.

c. QUESTION: 1) Do we have any information available on how much more it costs to use "clean-burning and alternative fuel equipment" so that we can do a cost-benefit analysis in aiming to reduce carbon dioxide emissions? 2) In the RCA it states "The City's Climate Protection team included emissions reduction guidelines within the scope of work which included the use of alternative fuels instated of gasoline in the large engine lawn equipment. Carbon emissions will be reduced by approximately 20-40% when compared to gasoline emissions." What Carbon emissions is this referring to? COUNCIL MEMBER TROXCLAIR'S OFFICE

d. ANSWER: 1) The use of "clean-burning and alternative fuel equipment" costs about \$0.28 per gallon more; propane emits 5.72 kg CO₂ per gallon when burned and gasoline emits 8.78 kg CO₂ per gallon burned. Following is a carbon dioxide emissions cost-benefit analysis: Current gasoline cost per gallon = \$1.84 Current propane cost per gallon= \$2.12. Assuming it requires 1,000 gallons to complete the work. Propane fuel costs = \$2,120 and Gasoline fuel cost = \$1,840. Using propane costs \$280 more. Propane emits 5720 kg CO₂ and Gasoline emits 8780 kg CO₂. Using propane avoids 3,060 kg CO₂ or 3.06 metric tons of CO₂. Therefore, at these current prices, by using propane we pay $(\$280/3.06) = \91.50 per avoided ton of CO₂ to the atmosphere. 2) Robert Grotty, from the Street & Bridge department, stated it is the carbon dioxide which is one of the main emissions gases released from gasoline engines.

e. QUESTION: 1) Please provide a list of the M/WBE contractors that were solicited. 2) Please provide the date the solicitation went out, and the date the response was due? 3) Is there an allowance or stipend offered or made available for the clean burning and alternative fuel powered equipment that is preferred by the City? Was this criteria noticed in the solicitation? 4) Was this a contract for the lowest bidder? Or locally preferred? COUNCIL MEMBER HOUSTON'S OFFICE

f. ANSWER: See attachment.

- ★ 11. Agenda Item # 23: Authorize negotiation and execution of an 18-month contract with SORENSON FORENSICS, LLC, or one of the other qualified offerors to Request for Proposal EAD0125, for the Austin Police Department's sexual assault backlog elimination program for a total contract amount not to exceed

\$1,180,000.

- a. QUESTION: 1) How many sexual assault kits has APD received in each of the past 5 years? 2) How many kits has APD processed in-house for each of the past 5 years? 3) What is the plan/schedule for the number of kits that Sorenson Forensics will test each month? 4) After the backlog is caught up, what is the plan to keep APD caught up going forward? COUNCIL MEMBER ZIMMERMAN'S OFFICE
 - b. ANSWER: 1) An average of 385 new sexual assault kits are collected by APD per year. 2) APD processes an average of 300 kits per year. 3) For this contract, APD will send a total of 2,000 kits to Sorenson Forensics. Sorenson Forensics has the capacity to process 1,500 cases per month. The actual amount of cases to be sent per month will be determined by APD, and will be dependent on staff availability to package and ship the kits. Also, the number may vary depending on the number of cases that Sorenson Forensics can handle at that particular time along with their other agency caseloads. 4) This contract will significantly reduce the backlog; to address future caseload, APD has requested two DNA Analysts positions in the initial funding request for Fiscal Year 2017.
 - c. QUESTION FOLLOW-UP: The Q&A said APD receives about 385 kits a year and processes about 300 kits a year. That means that only 85 kits do not get processed a year. Why is this bid for 2,000 kits? That is like 23 years' worth of kits that APD couldn't process. What is the current backlog of unprocessed kits and how long has the oldest kit been in queue for processing? COUNCIL MEMBER ZIMMERMAN'S OFFICE
 - d. ANSWER: The DNA kits being sent out are old sexual assault kits that were never forwarded to a laboratory for testing and some kits date back to 1990. Total sexual assault kits pending are approximately 2,700 kits. 166 kits are being sent to FBI under an FBI initiative, 407 kits were sent out under the Texas DPS initiative for Senate Bill 1636, and the remaining 2,000 are being analyzed utilizing the District Attorney New York (DANK) grant. The untested kits include 200 kits pending from 1990-1996 and 2,500 kits pending from 1997 – 2011. The APD Lab did not start performing DNA analysis until 2004, and until that time these were being forwarded to Texas DPS for analysis. The DANK grant allows APD to submit untested sexual assault kits for analysis and subsequent testing. These cases were never submitted to a laboratory based on the discretion of the investigator and dependent on the circumstances surrounding the case. The grant will allow APD to eliminate 2,000 of these untested sexual kits, and between the three initiatives will eliminate 2,573 untested kits.
12. Agenda Item # 24: Authorize award and execution of a 36-month contract with ALEON PROPERTIES, INC. (MWBE), to provide graffiti removal services in an amount not to exceed \$309,000, with three 12-month extension options in an amount not to exceed \$103,000 per extension option, for a total contract amount

Exhibit K

The City Council Questions and Answers Report was derived from a need to provide City Council Members an opportunity to solicit clarifying information from City Departments as it relates to requests for council action. After a City Council Regular Meeting agenda has been published, Council Members will have the opportunity to ask questions of departments via the City Manager's Agenda Office. This process continues until 5:00 p.m. the Tuesday before the Council meeting. The final report is distributed at noon to City Council the Wednesday before the council meeting.

QUESTIONS FROM COUNCIL

Agenda Items # 15, 16, 17 and 45: Interlocal agreements and contracts related to the DNA lab and forensic analysis.

QUESTION: Please provide data (spreadsheet) of the number of backlog cases, broken out by current cases and DANY grant cases, including a monthly breakdown of how long the backlog will take to be addressed based on the proposed contracts and a reasonable risk assessment. COUNCIL MEMBER FLANNIGAN'S OFFICE

ANSWER: The attached spreadsheet allows for the projection of the status and timeline for clearing the APD DNA backlog. In discussions with Council Member Flannigan, there was an interest in being able to consider risk factors (labs not performing as expected) in the projections. This spreadsheet has a performance level built in and allows users to see new projections based on different levels of performance. If 100 is entered into the cell next to "Performance Level", the projections will show all labs performing as expected, if 75 is entered, it will show all labs performing at 75% of expectations, etc. While there are many variables that can impact overall timelines, this spreadsheet will allow for consideration of lab performance compared to expectations.

Agenda Item # 17: Authorize negotiation and execution of an interlocal agreement with the Texas Department of Public Safety for DNA analysis services in an amount not to exceed \$3,999,144.

QUESTION: Will staff provide a monthly update to City Council and appropriate stakeholders (such as the Public Safety Commission, the Women's Commission, and SAART) on the number of City cases in backlog (by type), and the number of incoming City cases? COUNCIL MEMBER ALTER'S OFFICE

ANSWER: Yes, APD will provide monthly written updates on the status of the DNA backlog and current DNA caseload to the City Council, Public Safety Commission, and other stakeholders as appropriate.

DNA Backlog Projecti

	Mar-17	Apr-17	May-17	Jun-17	Jul-17	Aug-17
Total Backlog	2535	2531	2502	2473	2389	2295
SAK Backlog						
Non-DANY	453	438	423	408	378	348
DANY	1233	1208	1158	1108	1033	958
Total	1686	1646	1581	1516	1411	1306
<u>New DNA Cases Per Month</u>						
Non-SAK	65	65	65	65	65	65
SAK	25	25	25	25	25	25
<u>Serology Analysis Per Month</u>						
DPS Capitol Area Lab		40	40	40	40	40
35% Not Needing Full Analysis		14	14	14	14	14
<u>DNA Non-DANY Analysis Per Month</u>						
Bodie		25	25	25	25	25
Signature Science Non-DANY SAK		15	15	15	30	30
Signature Non-SAK		15	15	15	30	30
DPS Capitol Area Lab		0	0	0	0	10
<u>DNA DANY Analysis Per Month</u>						
Sorenson		0	0	0	0	0
Bodie		25	50	50	75	75

Notes

We have already sent 1000 DANY cases to Sorenson.

Signature Science Capacity being split between Non DANY SAK's and Non-SAK cases.

DPS has purchased a robot that will greatly increase the capacity of the Capitol Area Lab once operational.

Exhibit L

AUSTIN POLICE DNA NUMBERS

December 2017

Total SAK backlog	856
Total in labs	1809
Total completed	1475
Total DNA backlog	1440

In February 2017, our SAK backlog was 2165

This reduction in backlog has occurred even with the addition of new assignments in this timeframe.

AUSTIN POLICE OUTSOURCE LABS

❖ SIGNATURE SCIENCE (320)

- ❖ Testing objective: Local Lab- Everything
- ❖ Current Capacity: 60/MONTH
- ❖ Turn-around: 60 Days (Rush Options)
- ❖ Anticipated Capacity: Up to 90/MO
- ❖ 180 completed/140 in progress

❖ SORENSEN LAB (1607)

- ❖ Testing Objective : DANY-Eligible
- ❖ Current Capacity: 200 /Quarter
- ❖ Turn-around: 6-9 Months
- ❖ Anticipated: No Change
- ❖ 792 completed/815 in progress

❖ BODE CELLMARK (954)

- ❖ Testing Objective:
 - ❖ DANY Grant-Eligible SAKs
 - ❖ Other DNA as needed
- ❖ Current Capacity: 50/MO
- ❖ Turn-around: 6-9 Months
- ❖ Anticipated Capacity: 110/MO in June 2018
- ❖ 407 completed/547 in progress

❖ DPS – CAP LAB (268)

- ❖ Testing Objective: APD Cases Only
- ❖ Current Objective: 40 /MO (*Male Screening*)
- ❖ Turn-around: Goal is 90-Days
- ❖ 15 completed/253 in progress

Exhibit M



BOARD/COMMISSION RECOMMENDATION

Public Safety Commission

Recommendation Number: 20170103-004 Recommendation to City Council Regarding the Analysis of DNA Evidence

WHEREAS a two or even three-year delay is an unacceptable amount of time for Austin to wait to begin testing DNA evidence again,

WHEREAS the public is owed transparency about prospective solutions for the closure of the Austin Police Department DNA lab, and

WHEREAS the public is owed transparency about retrospective analysis of what went wrong at the Austin Police Department DNA lab,

BE IT RESOLVED THAT the Austin Public Safety Commission recommends the following actions to Austin City Council regarding the analysis of crime-related DNA evidence:

The City Council and the Austin Police Department should urgently prioritize finding an interim solution within six months to the crime lab closure (even while a prospective and retrospective study is performed), including allocating necessary funds and staff.

Date of approval: January 3, 2017

Record of the vote: Unanimous (9 members present)

Absent:

Commissioner Sam Holt

Commissioner Emmanuel Loo

Attest:

Janet Jackson

Janet Jackson, Public Safety Commission Staff Liaison

Exhibit N



MEMORANDUM

TO: Mayor and Council Members

FROM: Rey Arellano, Assistant City Manager

DATE: January 25, 2017

SUBJECT: Update Regarding Activities to Address APD DNA Lab Audit Recommendations

The purpose of this memo is to provide an update on subject activities. In my memo of December 9, 2016 of the same subject, I had projected being able to present for Council consideration an agreement for expert consultant services to address the recommendations of the Texas Forensic Science Commission's (TFSC) *Final Audit Report for Austin Police Department Forensic Services Division DNA Section* as well as an interlocal agreement with Travis county at your January 26, 2017 meeting. As will be described below, I now project being able to bring the two items to Council at your March 23, 2017 meeting.

Since the beginning of January, a working group began meeting weekly to ensure progress was being made and to keep stakeholders informed. Participants in the working group include representatives from the following agencies:

- City of Austin
 - City Manager's Office
 - Law Department
 - Police Department
- Texas Forensic Science Commission (TFSC)
- Capital Area Private Defender Service
- Austin Criminal Defense Attorneys Association
- Travis County
 - County Judge
 - County Attorney
 - District Attorney
 - Sheriff's Office
 - Courts

Following is an update on engaging consultant assistance and developing the interlocal agreement with Travis County.

DNA lab consultants. Although we have the ability to go directly to individual consultants/firms with professional services agreements, we are finding it challenging to identify consultants who have the expertise and availability to do the work. In addition, the working group has determined it would be more efficient to solicit proposals for consultants to form a team and include both the "look back" and "look forward" scopes of work. Under this scenario of

advertising proposals more broadly, we are using the formal request for proposal (RFP) process. The projected timeline is:

February 6	Issue the RFP; advertise for 2 weeks
February 20	Proposals due
Week of February 27	Evaluation Team meets
Week of March 6	Selection of best proposal and preparation of the agreement
March 23	Consultant agreement and interlocal agreement with Travis County presented for Council consideration

Interlocal agreement with Travis County. This document describes the City/County partnership in order to address (a) the TFSC audit report recommendations (the consultant work described earlier); and (b) the need for additional legal resources to conduct “materiality reviews” as a result of the audit report findings. Travis County is leading the effort with stakeholders to determine the best approach to address the materiality review. In order to bring the interlocal agreement forward, both items (a) and (b) need to be completed, which should be done for the Council’s March 23, 2017 meeting.

For more information, please contact me at (512) 974-2222 or Rey.Arellano@Austintexas.gov.

cc: Elaine Hart, Interim City Manager
Assistant City Managers
Chief of Staff
Anne Morgan, City Attorney
Cary Grace, Assistant City Attorney
Chief Brian Manley, Interim Police Chief
Assistant Chief Troy Gay, Austin Police Department

Exhibit O

INTERLOCAL COOPERATION AGREEMENT
BETWEEN THE CITY OF AUSTIN AND TRAVIS COUNTY
FOR THE PURPOSE OF COST SHARING IN PROJECTS DESIGNED TO ADDRESS
THE CRIMINAL JUSTICE ISSUES RELATING TO THE AUSTIN POLICE
DEPARTMENT DNA UNIT

PARTIES

This Interlocal Agreement ("Agreement") is entered into between the following parties: the City of Austin, a Texas home rule municipal corporation and political subdivision of the State of Texas ("City") and Travis County, a political subdivision of the State of Texas ("County").

RECITALS

This Agreement is made under the authority of the Interlocal Cooperation Act, Chapter 791 of the Government Code.

Each governing body, in performing governmental functions or in paying for the performance of governmental functions hereunder, shall make that performance or those payments from current revenues legally available to that party.

Each governing body finds that the performance of this Agreement is in the best interest of justice, that the undertaking will benefit the public, and that each party has an interest in accomplishing the goals of this Agreement and sharing the costs in order to achieve fair and competent DNA evidence analysis for the community in the future and to take action toward rectifying possible issues in the past to ensure that justice is served.

NOW THEREFORE, the City and County agree as follows:

Section 1
Term

The initial term of this Agreement will begin upon execution and end on September 30, 2017. Subject to continued funding by the County and the City, this Agreement will automatically renew for one consecutive twelve month term ending on September 30, 2018, unless sooner terminated by either party as provided herein.

Either party may terminate this Agreement by giving the other party written notice of such termination at least ninety days before the effective date of the termination.

Section 2

Purpose of Interlocal Cooperation Agreement

This Interlocal Cooperation Agreement documents the obligations and responsibilities of the County and City regarding two separate Professional Service Agreements (PSAs) and a commitment to sharing the possible continuing costs related to addressing and rectifying the criminal justice-related issues arising from the closing of the Austin Police Department (APD) Lab that processed DNA evidence. A general description of the substance of each of the two PSAs and the City's and County's obligations and responsibilities concerning each are as follows:

PSA One: The City will enter into a PSA with expert consultants (consultants) who will address the findings of the Texas Forensic Science Commission's (TFSC) *Final Audit Report for Austin Police Department Forensic Services Division DNA Section* (Audit Report). The consultants will assist with addressing the Audit Report recommendations as well as evaluating the impacts of the Audit Report findings to DNA evidence in criminal cases in Travis County. Additionally, under the terms of PSA One, the consultants will research and identify options and best practices for appropriate DNA lab testing services for the Austin-Travis County area going forward. The County agrees to pay the City fifty percent of the costs incurred for hiring the consultants for these purposes.

PSA Two: The County will enter into a PSA with the Capital Area Private Defenders Service (CAPDS) to review the legal materiality of DNA evidence processed by the APD DNA Lab and used to secure convictions in Travis County courts. Further, under the terms of PSA Two, when necessary, CAPDS will provide post-conviction writ litigation services to defendants who were convicted of a crime based on DNA evidence that was material to the criminal case and that was processed by the APD DNA lab. The City agrees to pay the County fifty percent of the costs incurred for hiring CAPDS for these purposes.

Continuing Costs: Under PSA Two, CAPDS will review DNA cases and litigate writs, but that Agreement does not cover the future cost of possible retrials. Criminal defendants whose cases involved APD Lab DNA evidence that have not been resolved by re-testing DNA or writ relief may have to be retried in the Travis County Criminal Courts. In the event that one of these cases needs to be retried because of the failure of the APD Lab to correctly analyze, interpret, or preserve the integrity of the DNA evidence, the City agrees to assist in sharing some of the expenses of retrial, such as appointed defense counsel, expert witnesses and investigators. These costs cannot be captured at the execution of this Agreement, nor do the parties expect any retrials within the first term of this Agreement, but the County and City agree to separately negotiate cost sharing or amend this Agreement to account for these anticipated future costs as the need arises.

Other Obligations: The City agrees to work with the Travis County District Attorney's Office to prioritize cases for which DNA evidence must be retested, and the City agrees to utilize the laboratory under contract with the City that is most capable of expediting each requested retest.

The City Manager and the County Judge will each appoint a Co-Project Manager to work collaboratively in overseeing the provisions of this Agreement. With the assistance of the Co-Project Managers, the City Manager and the County Judge will appoint an advisory panel of subject matter experts to advise, as appropriate, the Co-Project Managers in carrying out the intent of this Agreement. Subject areas represented on the advisory panel may include, but are not limited to: DNA analysis, prosecution, legal defense, contracts, forensics lab operation, law enforcement, as well as other areas as needed.

Section 3

Scope of First Professional Services Agreement (PSA One)

City agrees to seek out a highly qualified Technical Expert in the scientific field with the appropriate academic qualifications and experience who can address the recommendations in the Audit Report. This Technical Expert will coordinate with the Travis County District Attorney's Office and other stakeholders such as CAPDS in evaluating the impact on DNA samples of past and pending cases that may have been affected by the audit findings.

The first objective of this PSA is to assist the City in addressing the recommendations contained in Section V of the Audit Report. The second objective is to provide the City and the County with a comprehensive understanding of the impact on forensic casework of the audit findings presented in Section III of the Audit Report. The third objective is to identify strategies for the operation and governance of a DNA testing lab and present options to restore integrity to DNA testing in Austin/Travis County. The options may include, but are not limited to, a new DNA testing lab independent of the APD, reopening of the APD DNA Unit, providing additional staffing to the Texas Department of Public Safety, and other options as appropriate. Each option should include pros and cons, staffing recommendations, and an estimated cost.

The City agrees to arrange for the expert to provide an initial briefing for the City and County Co-Project Managers and TFSC; quarterly status reports to the TFSC and Co-Project Managers; and a final report.

The City and the County will collaborate and reach consensus on the selection of the Technical Expert. The Co-Project Managers will work collaboratively in developing and managing the PSA, each of whom has equal authority to enforce the Agreement's provisions and assess the quality of the deliverables. Upon completion of a deliverable, the Co-Project Managers must each agree the deliverable is satisfactory before it can be considered finished and approved for payment. Should the Co-Project Managers fail to agree on the sufficiency of a particular deliverable, the issue will be escalated to the City Manager and County Judge for a final decision.

Section 4
Scope of Second Professional Services Agreement (PSA Two)

The County has entered into a PSA with CAPDS to provide a legal review and post-conviction writ litigation of the APD DNA Cases impacted by the Audit Report findings. This legal case review and writ litigation project (CAPDS Forensic Project) will assess the materiality of potentially impacted DNA evidence and will provide representation for affected defendants opting to re-open their case through post-conviction writ litigation. Staffing will be based on the demands of the project to complete this review, and includes attorneys, an investigator, and necessary support staff. Funding for personnel, office space, equipment, operational costs, investigation, case specific expert fees, and other reasonable and necessary expenses to complete a legal case review and litigation will be shared equally by the City and the County, which will be negotiated with CAPDS during the development of the PSA. City and County agree that for cases where the CAPDS Forensic Project has identified a conflict, assigned counsel will be appointed. For conflict cases, the materiality reviews, attorney fees, investigation fees, expert fees, and all other expenses will be paid for by the County and City in amounts that shall be negotiated separately from this Agreement. The PSA will be renewed on an annual basis, with an expected completion within five years and an estimated yearly budget of 645,200.00.

Section 5
Publicity Surrounding Projects

City and County agree to keep the public apprised of the progress of PSA One. In any publicity prepared or distributed by or for City related to this Agreement, the participation and contributions of County shall be mentioned as having made the project possible, either through use of the County logo or in applicable text. Prior to publication or any disbursement of such publicity, City must provide a copy of the final form of the publicity to County. When appropriate as determined by the County Project Manager, City may publicize the services and activities of City and County under this Agreement. City will work with County to allow for distribution from appropriate County locations of any materials prepared related to services provided under this Agreement. When appropriate, City and County Co-Project Managers will jointly distribute updates and status reports to City and County officials.

Section 6
Potential Liability

Nothing in the performance of this Agreement will impose any liability for claims against City or County other than claims for which liability may be imposed by the Texas Tort Claims Act.

Each party to this Agreement will be responsible for its own actions in providing services under this agreement and shall not be liable for any civil liability that may arise from the furnishing of the services by the other party.

Section 7
Billing

Costs will be calculated quarterly, with four calculations for each year of this Agreement. At the end of each quarter, the City will submit the total costs it incurred in administering PSA One and the County will submit the total costs incurred in administering PSA Two. The parties will then calculate the difference between the two cost totals and the party incurring the lesser cost will pay fifty percent of that difference to the other party within thirty days. Costs and expenses that are not anticipated, disclosed to, and approved by the parties before payment will not be considered properly incurred unless later agreed upon by City Manager and County Judge.

Section 8

By entering into this Agreement, the parties do not intend to create any obligations express or implied other than those set out herein; further, the parties do not intend to create any rights in any third party by virtue of this Agreement.

CITY OF AUSTIN

COUNTY OF TRAVIS

Elaine Hart, Interim City Manager

Sarah Eckhardt, County Judge

Date

Date

EXHIBIT P

Board and Commission Council Committee Agenda Item Request

Name of Board or Commission:
COMMISSION FOR WOMEN

Request Number: 20170809-003b

Description of Item:

Request by the Commission for Women regarding survivors of sexual assault

Board or Commission Vote to refer item to Council: The Commission for Women approved the request in their August scheduled meeting with a vote of 7-0.

Date of Approval of Request: August 9, 2017

Attachments: ☒ Yes ☐ No

If yes, please list the attachments: 20170809-003b_ACWRequest_Sexual_Assault_Survivors

Attest: Mary C. Aversa, Staff liaison

MAYOR'S OFFICE USE ONLY

Council Committee Assigned:

- ☐ Audit and Finance Committee
- ☐ Austin Energy Utility Oversight Committee
- ☐ Mobility Committee
- ☐ Health and Human Services Committee
- ☐ Housing and Planning Committee

Recommend a Fiscal Analysis be completed?

Recommend a Legal Analysis be completed?

Notes:

Mayor Signature & Date:



CITY OF AUSTIN COMMISSION FOR WOMEN

Whereas the Austin Commission for Women serves as an advisory body to the city council and city manager concerning the needs and problems of women in the Austin area and shall recommend programs designed to alleviate any inequities that may confront women in social, economic and vocational pursuits.

Whereas in August 2016, the Austin Commission for Women passed recommendation 20160810-003A relating to the Austin Police Department (APD) DNA Lab Closure which called for additional resources to address the sexual assault kit (SAK) backlog. Additionally, the recommendation requested that the backlog be cleared in 3-4 years from October 1, 2016, and that all SAKs be fully processed within 60 days.

Whereas the Austin Commission for Women is grateful recommendation 20160810-003A was fully supported by the Austin City Council and resulted in swift and corrective actions by APD to prioritize its handling of sexual assault forensic evidence such that APD is on pace to clear the backlog by the end of 2018.

Whereas the Austin Commission for Women recognizes that clearing the sexual assault forensic evidence backlog is but a first step towards ensuring a holistic community response to sexual assault. Subsequently, as the SAK testing results come back by the hundreds, they become cases that need investigating and victims that need notifying and services.

Whereas the Austin Commission for Women holds firm in the belief that a holistic community response is made possible when investigators, victim services, prosecution, and other service providers have sufficient resources to respond. Otherwise, the Austin Commission for Women anticipates our community will end up with additional delays requiring cases to be triaged, which is neither victim-centered nor trauma-informed.

Whereas the Austin Commission has identified two pressing issues that must be addressed within this budget cycle to continue to ensure that our community's response to sexual assault is one that centers the experiences of survivors with dignity and respect:

1. Effective April 2017, The City of Austin and Travis County formed a joint work group to address the criminal justice issues relating to the Austin Police Department DNA Unit. Despite numerous requests from victim advocates and continued confusion and delay in notification to relevant stakeholders, no group representing the voice of those survivors of sexual assault, whose evidence makes up a large portion of the impacted DNA, has been appointed to this stakeholder group. **The Austin Commission for Women respectfully requests that representative(s) from The SAFE Alliance and/or any other appropriate victim-centered group be appointed as full voting member(s) of the joint work group by October 1, 2017, instead of solely in an advisory capacity where their decision-making authority would likely be limited.**
2. In the last year, APD has taken swift and corrective actions to process sexual assault forensic evidence in its possession and to notify victims about SAK testing results. However, the inadequate handling of evidence up to this point has resulted in months, years, and even decades of silence regarding a victim's sexual assault case. Failing to test the evidence that survivors have entrusted to us is failing to believe them and support them. Therefore, many victims who have not been afforded the opportunity to learn the outcome of the evidence after months, years and